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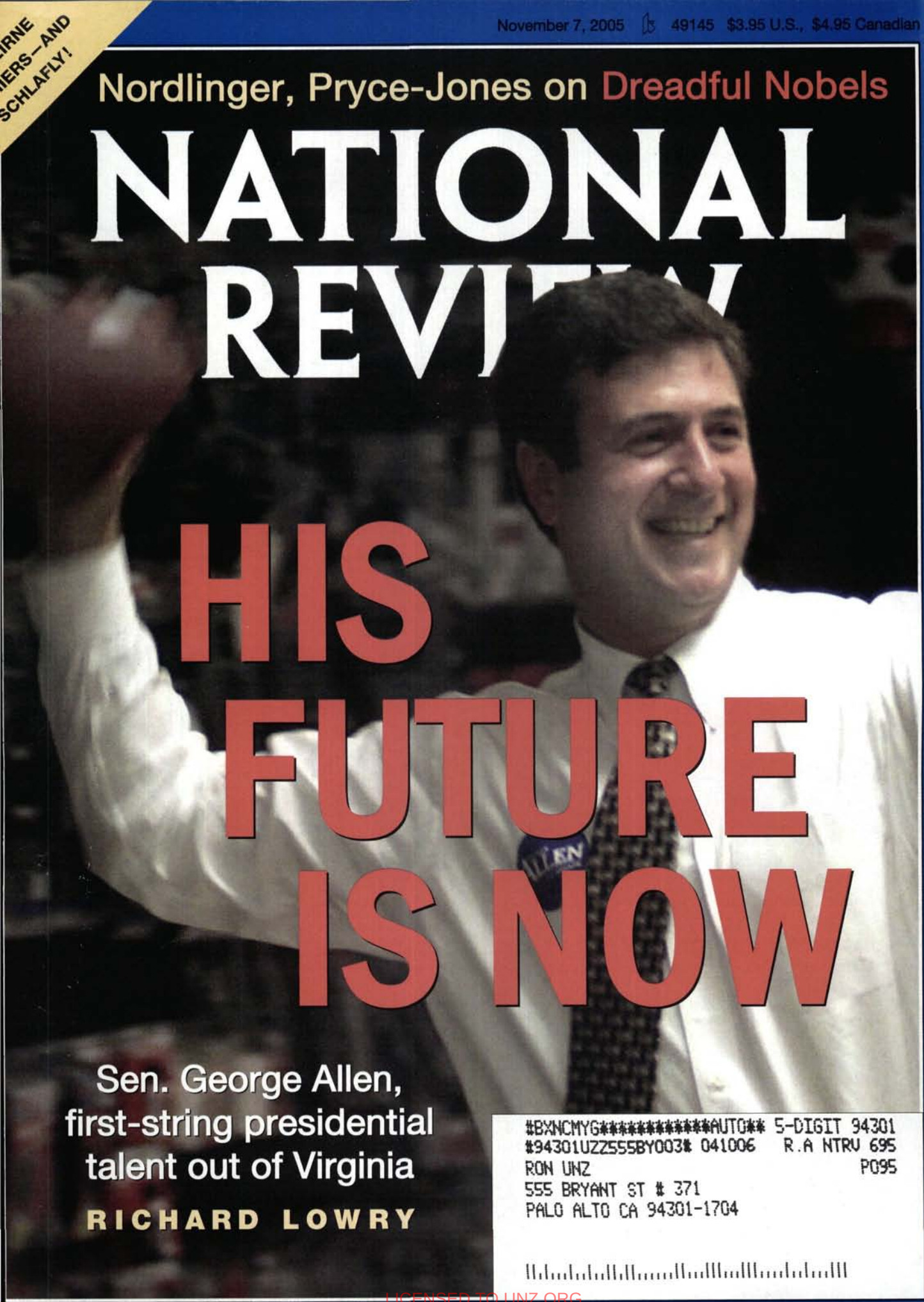
Nordlinger, Pryce-Jones on Dreadful Nobels

NATIONAL REVIEW



HIS FUTURE IS NOW

Sen. George Allen, first-string presidential talent out of Virginia

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NATIONAL REVIEW

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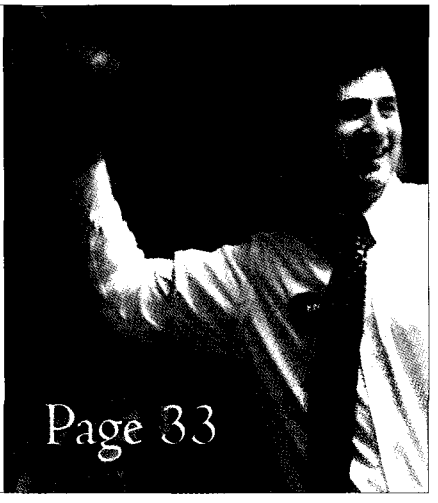
ON THE COVER

It is not hard to do a calculation that says at this early stage in the '08 race George Allen has perhaps a better chance of winning the nomination than any other Republican. Profile writers often invoke Reagan and Bush in describing Allen, but the senator is emphatically his own man, with a personal history that has forged a rare and particular political talent. *By Richard Lowry*



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COVER: *AP/Steve Helber*

NATIONAL REVIEW (ISSN: 0028-0038) is published bi-weekly, except for the first issue in January, by NATIONAL REVIEW, Inc., at 215 Lexington Avenue, New York, N.Y. 10016. Periodicals postage paid at New York, N.Y., and additional mailing offices. ©National Review, Inc., 2005. Address all editorial mail, manuscripts, letters to the editor, etc., to Editorial Dept., NATIONAL REVIEW, 215 Lexington Avenue, New York, N.Y. 10016. Address all subscription mail orders, changes of address, undeliverable copies, etc., to NATIONAL REVIEW, Circulation Dept., P. O. Box 668, Mount Morris, Ill. 61054-0668; phone, 815-734-1232, Monday–Friday, 8:00 A.M. to 10:30 P.M. Eastern time. Adjustment requests should be accompanied by a current mailing label or facsimile. Direct classified advertising inquiries to: Classifieds Dept., NATIONAL REVIEW, 215 Lexington Avenue, New York, N.Y. 10016 or call 212-679-7330. POSTMASTER: Send address changes to NATIONAL REVIEW, Circulation Dept., P. O. Box 668, Mount Morris, Ill. 61054-0668. Printed in the U.S.A.

RATES: $59.00 a year (24 issues). Add $21.50 for Canada and other foreign subscriptions, per year. (All payments in U.S. currency.) The editors cannot be responsible for unsolicited manuscripts or artwork unless return postage or, better, a stamped self-addressed envelope is enclosed. Opinions expressed in signed articles do not necessarily represent the views of the editors.

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NATIONAL REVIEW

November 7 issue; printed October 20

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letters to the editor

ANOTHER CONTESTED NOMINATION

NATIONAL REVIEW's opposition to Julie Myers, the president's nominee to head Immigration and Customs Enforcement at the Department of Homeland Security, seems to me fatally marred by sins of both commission and omission ("The Week," Oct. 24). Full disclosure: Julie and I worked together in the office of Kenneth Starr's independent counsel, but the points below are all a matter of public record.

"On the matter of immigration law," NR declares, "she has no experience at all." Wrong. As an assistant U.S. attorney, she worked with the Immigration and Naturalization Service on a number of—yes—immigration cases. While serving in the Bush administration she also enforced border-security laws as head of the Export Enforcement Agency (specifically, the export of sensitive technology) and as a Treasury Department official (money laundering by terrorists). NR's editorial omits this experience. It also fails to mention that Homeland Security secretary Michael Chertoff wants her for the job; she worked closely with him as his chief of staff at the Department of Justice. He knows her skills and style, her intelligence, her depth of knowledge, and her ability to get a job done without FEMA-esque excuses.

I suspect that NATIONAL REVIEW is disgruntled less by Julie Myers's CV than by the gap between President Bush and NR on immigration policy. Bad news, I fear: Whoever ends up running ICE, the administration's immigration policy isn't likely to change. NR has succeeded merely in besmirching a well-qualified Republican nominee, which is hardly what I expect from this magazine.

Stephen Bates
Silver Spring, Md.

THE EDITORS REPLY: Mr. Bates's chivalrous defense of his former colleague is commendable, but unpersuasive. In no way does he prove that Ms. Myers has had any *meaningful* experience with immigration law and enforcement. The dysfunctional 20,000-person ICE is vital to America's security, and requires someone who won't be struggling to learn on the job.

OFF WITH THEIR HEADS

Hats off to Adam Keiper for calling out Chris Mooney's misappropriation of Edmund Burke ("A Vast Conspiracy?" Oct. 10). Burke was certainly not, as Mr. Mooney writes, denouncing the Enlightenment when he referred to "sophisters, economists, and calculators." To misquote is a mistake, one that the best of us can make; but for Mr. Mooney to foist such foolhardy importance upon that misquote is to reveal a level of disingenuousness that calls everything else he writes into question. Mr. Keiper is correct that Burke's words were directed toward the decline of chivalry. He is wrong, however, in his claim that Burke was also condemning Marie Antoinette's execution: *Reflections on the Revolution in France* was written in 1790, and Marie was not guillotined until 1793.

Elie Glyn
Providence, R.I.

BEFORE NIGHT FALLS

Reading the O'Sullivan-Krikorian/Jacoby immigration debate (Oct. 10), one is struck by a haunting sense of historical déjà vu. What, we wonder, might a Roman Gaul circa 350 A.D. have thought as he watched an ever-increasing number of Franks and Germans cross the river into the empire?

Perhaps concerned provincial governors wrote plaintive letters to the emperor seeking aid. Did the people who gathered in the wine shops debate assimilation and labor-force matters? Could they have imagined that, 50 years thence, their society, a thousand years old, would collapse under the pressure of increasing migration? Look only as far as the "colonias" of Texas to grasp the issue.

The answers Rome attempted ultimately failed. What answers might we find to preserve our civilization lest, as in Roman Europe, darkness fall?

Philip L. King
Prescott, Ariz.

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THE WEEK

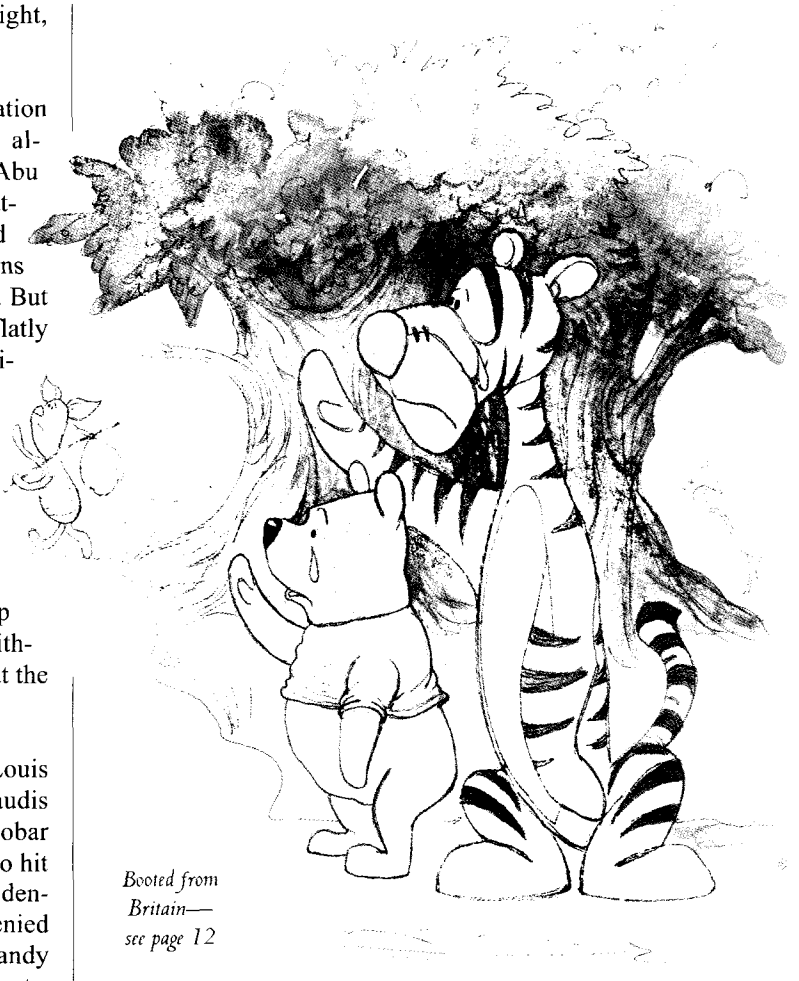
■ We oppose Hillary, too—but then, we're sexist. Right, Laura?

■ The U.S. has released an extraordinary communication intercepted this summer from Ayman al-Zawahiri, al-Qaeda's number two, to the network's Iraqi chief, Abu Musab al-Zarqawi. The 6,000-word missive is a fascinating window into the enemy's straits, which have reduced bin Laden's deputy to wondering whether his instructions even get to al-Jazeera anymore, much less get acted on. But most significantly, it elucidates that the antiwar Left is flatly wrong. Militant Islam is not a reaction to American policy, and terrorists are not a result of American action. Zawahiri makes plain that al-Qaeda seeks to forge a caliphate in Iraq, with the goal of spreading its dominion gradually and globally. It sees the U.S. as the impediment to this grand design. Thus, a jihad must be fought not just militarily, but politically and in the media for the hearts and minds of the Muslim world. The president and the enemy both grasp how catastrophic it would be for the U.S. were we to withdraw before the terrorists have been quelled. Would that the chattering classes understood.

■ In his new book, *My FBI*, former Bureau director Louis Freeh claims that his old boss refused to pressure the Saudis to cooperate fully in the investigation of the 1996 Khobar Towers bombing that killed 19 Americans, preferring to hit up the royal family for a contribution to his future presidential library. Through a spokesman, President Clinton denied both allegations. Former national security adviser Sandy Berger, last seen sticking Clinton secrets down his pants, also denied Freeh's account of a September 1998 meeting between Clinton and Crown Prince Abdullah. Freeh alleges that, when solid evidence found Iran responsible for the 1996 attack, the Clintonites were uninterested. The former director has waited until four years after he left the FBI to make charges that should be fully investigated. On *Meet the Press*, he criticized Mark Felt, a.k.a. Deep Throat, the former deputy director of the FBI, for leaking to reporters rather than using the "plenty of access" he had if he wanted "to protect the country and bring that information out." It's regrettable that Louis Freeh didn't follow the latter course himself rather than wait for a book tour to raise the alarm about Bill Clinton's dereliction of duty.

■ The conservatives at the Republican Study Committee have gotten the House leadership to cry uncle. Tom DeLay had said that there was no fat to cut out of the budget. Now he is, as they say, revising and extending his remarks. He told the conservatives that he had "failed" them and that they had "filled a void in the leadership." That's good news. But it's no reason for conservatives to get cocky. The wisest course for spending-cutters is to insist on an across-the-board budget cut now. But they should also remember to keep corporate welfare in their crosshairs, and to insist on a reform of the budget process to make spending cuts easier in the future. The stars in Washington do not often align for spending cuts; best to make the moment count.

■ The investigation into the disclosure of CIA agent Valerie Plame's name appears to be reaching the indictment phase. As we have said all along, it seems highly unlikely that anyone broke the law by intentionally revealing an undercover agent's identity. If any administration official (or anyone else) perjured himself in the course of the investigation, that person deserves to be prosecuted. Rumors in the press say that prosecutor Patrick Fitzgerald may charge "conspiracy," accusing the administration of plotting to discredit its crit-



Booted from Britain—
see page 12

ROMAN GENN

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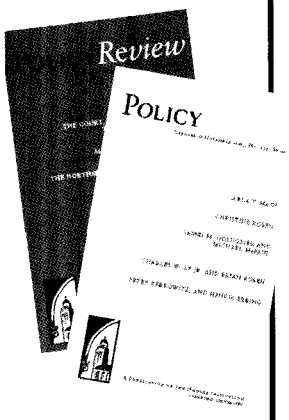

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In the new issue of *Policy Review*

The Overpraised American

Christopher Lasch's* The Culture of Narcissism *revisited

Today, a book about the vagaries of the American character might still have a great deal to say about narcissism, but its subtitle would likely point to something other than diminishing expectations. It would, perhaps, document "Life in the Age of the Overpraised American," for praise (and its kin, attention-seeking) is our common cultural currency. If, in the twentieth century, "character" gave way to "personality," as Lasch and others such as Richard Sennett and Anthony Giddens argued, then in the twenty-first century "personality" exists only if it is broadcast, rated, praised, and consumed by as many people as possible—put on display for strangers as well as intimates.

—Christine Rosen

Public Diplomacy: Lessons from King and Mandela

Restoring America's image around the world

To be sure, there are manifest differences between the circumstances in which Martin Luther King Jr. and Nelson Mandela operated and the conduct of public diplomacy by the United States government. King and Mandela were individual charismatic figures whose public causes and public messages were intimately connected with their personal styles and characters. By contrast, public diplomacy is conducted by, or at the instigation of, a government. Despite the differences, the efforts of King and Mandela and of public diplomacy share the central concern of effective marketing of public goods: civil rights, racial equality, and the end of apartheid in the King/Mandela context; democratic values, open societies, and competitive markets in the context of U.S. public diplomacy.

—Charles Wolf Jr. & Brian Rosen

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THE WEEK...

ics. That would strike us as an attempt to criminalize normal politics. But those rumors in the press may not be the whole story. Fitzgerald's prosecution has not been leak-prone. Let's hope it's also wise, and fastidious.

■ The prosecution of Tom DeLay stumbles on. After lawyers for DeLay's co-defendants filed a motion for Travis County DA Ronnie Earle to produce a key document he had referred to in his indictments—a list of seven candidates for the Texas house and the donations each was to receive—a prosecutor on Earle's team indicated that the State could not produce the document. The State instead produced a "similar" document, and said, "Despite the fact that the State cannot conclusively prove that the said document is a duplicate (or copy thereof) of the [document referred to in the indictment], and because the State believes that the document is at least factually related to the above-referenced document . . . the State has heretofore tendered to counsel of the defendant . . . a photocopy of said document." The "factually related" document turned out to be an Excel spreadsheet, with no author or date, listing 17 candidates, not seven. And the dollar amounts on the document totaled $230,000—incongruent with the $190,000 check at the heart of Earle's indictments. There is still a chance Earle can convince a liberal Travis County judge to allow such a speculative piece of evidence, but "factually related" sounds a lot like "fake but accurate" to us.

■ Howard Dean, the chairman of the Democratic National Committee, wasn't too happy when Ken Mehlman, the chairman of the Republican National Committee, received an invitation to speak before a Connecticut chapter of the NAACP. Said Dean, "I'm shocked that he would have the nerve to show his face in front of any African-American organization after the way they treated those people in New Orleans." *Those people?* Hmm. In any event, Dean's statement is disgusting on several levels. Mehlman parried well, telling the NAACP audience, "The only person with nerve is Howard Dean, who continues to take the African-American vote for granted, who believes he can dictate who[m] you should and should not meet with." Mehlman also had a nice line about the GOP: "If you give us a chance, we'll give you a choice." Not to be mistaken for an echo!

■ Experiments described in *Nature* point the way toward embryonic-stem-cell research without its ethical drawbacks. It may be possible to extract stem cells from human embryos without killing them. Alternatively, it may be possible to create entities that are similar to human embryos, and can serve as sources of stem cells, but are not human beings in the sense of being organisms. (They cannot organize themselves or direct their own development, and are thus closer to tumors than organisms.) These experiments cannot resolve the ethical debates raised by embryo-destructive research. But they may be able to sidestep them.

■ President Bush suspended some regulations governing federal public-works projects in the recovering Gulf states. Because one of the most visible regulations required that "prevailing" (read: union-scale) wages be paid, Democrats screamed that Bush was cutting the wages of workers who were trying to help the victims of Hurricane Katrina. If lower wages made it possible to hire more workers or to get the work done faster, the deregulation would be worth it. But some reports suggest that wages are actually rising, notwithstanding the deregulation, because the demand for workers has increased. The president's suspension appears simply to have speeded up construction (and the payment of wages) by reducing paperwork. Imagine that! Wages rising because of supply and demand, not a government edict! This might catch on.

■ Delphi may be the world's largest maker of car parts, but that's just a hobby. Its balance sheet looks more like that of a pension fund and a health-insurance provider. Delphi's unions have negotiated such generous benefits for their aged that a worker who makes $25 an hour costs the company $65 an hour once he retires. Delphi's pension obligations alone are estimated at $8.5 billion, roughly $4.3 billion of which is unfunded. It is not surprising that this cost structure has driven Delphi into Chapter 11 bankruptcy, and it will not be surprising if others follow: GM is thought to have unfunded pension obligations totaling some $31 billion. There are several lessons here. The first is that unions gain nothing in the long run by extracting promises their employers cannot keep. Second, defined-benefit pension plans—in which companies pay a guaranteed sum to retirees—are less likely to remain solvent than defined-contribution plans—such as 401(k)s—whose payouts depend upon market performance. Finally, the Delphi debacle should call to mind the granddaddy of underfunded defined-benefit plans: Social Security is Delphi writ large, and if we do not reform it, we should expect it to meet a similar fate.

■ The Internet is one of the freest and most dynamic places on the planet, and some people just can't stand it. The thought of freely flowing information terrifies many of those who hold or crave power, and unsettles those who mistrust the messiness of individual liberty. Cyberspace is therefore beset by a host of foes, both foreign and domestic. At home, campaign-finance reformers are clamoring for Congress to clamp down on web-based political speech. From across the pond, the EU is aggressively pressuring the U.S. to relinquish its administrative control over the Internet (which was created using U.S. government funds).

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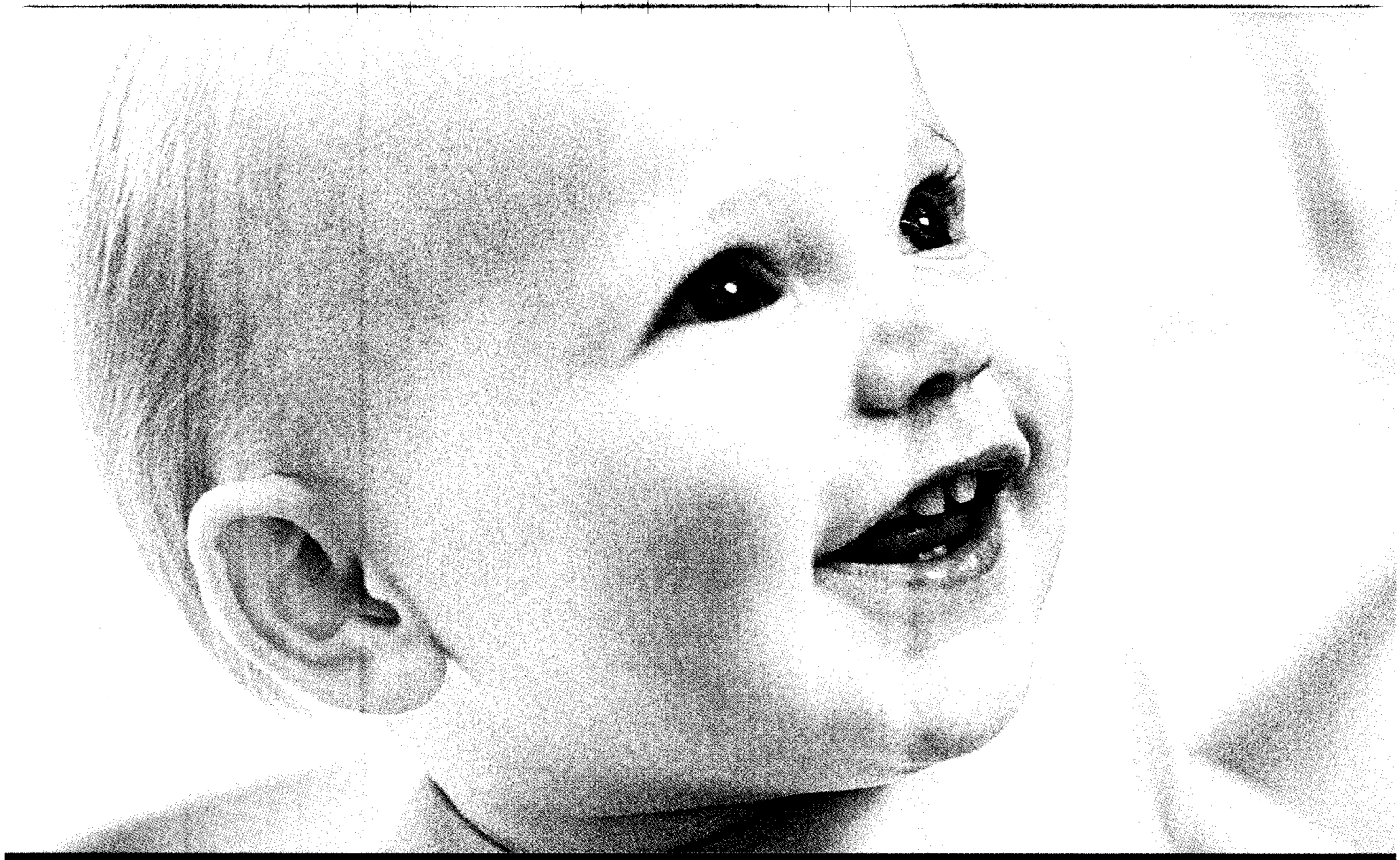

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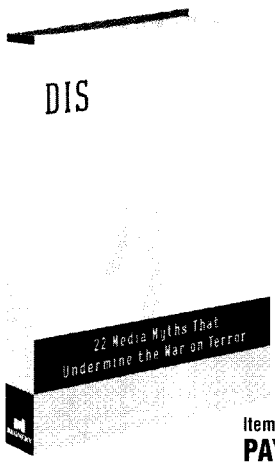

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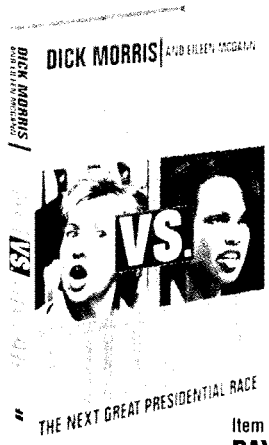
Disinformation—There are a lot of War on Terror myths masquerading as fact in respected newspapers, on the airwaves, and on the web. Some are cunningly disguised, while others are crude and silly. In *Disinformation*, Richard Miniter explains why these and other popular media factoids and urban legends are not only wrong, but severely damaging to our war effort.



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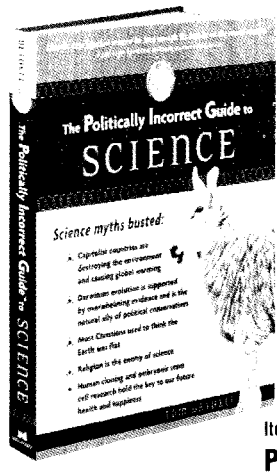

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THE WEEK...

They want authority over the web to be handed over to—what else?—a bureaucracy-glutted U.N. governance group. Whispers have been heard that the U.N. will tax the Internet in order to help Third World countries get online. And the idea of "multilateral control" has been enthusiastically endorsed by Iran, China, Saudi Arabia, and other habitual stranglers of free expression. It may be only a matter of time before the Net is carved up by bureaucrats, censors, despots, and tax agencies—but is it too much to ask that we extend that time, indefinitely?

■ Readers will doubtless recall the Supreme Court's remarkable decision in *Kelo* v. *New London,* which turned the Constitution's "takings clause" (which requires just compensation when private property is seized for "public use") on its head. A similar scandal is now brewing in Congress, currently in the midst of a major telecom overhaul. Television broadcasters (supported by some who should know better, including Sen. Kay Bailey Hutchinson) are seeking to expand their privileges vis-à-vis cable-television providers. At stake is a complicated issue called "multicasting." Today, cable-television providers must also transmit the primary video content of television broadcasters. The broadcasting giants are desperate to expand these "must carry" privileges to include up to six channels. The cable companies have properly balked at this property grab. Unlike broadcasters, who use the public airwaves to carry transmissions, cable companies built every iota of cable bandwidth they use. As it stands, however, broadcasters pay nothing for the cable space they use—and neither does the government. This is exactly the type of arbitrary wealth transfer the takings clause was designed to avoid. Congress should not expand existing must-carry requirements and, indeed, should reconsider this archaic and unfair requirement altogether.

■ The latest bad idea from UNESCO is a proposal for a new convention to protect "cultural diversity." The convention combines economic protectionism with cultural philistinism—a neat trick. The protectionism comes in an assertion that "cultural activities, goods and services have both an economic and a cultural nature" and so cannot be treated "as solely having commercial value." The upshot is that, freed from trade obligations, countries would be at liberty to define almost anything they liked as a "cultural good" and protect it from competition. (One suspects that American films, music, books, and food would be among the first things attacked.) The philistinism comes in the convention's assumption that culture flourishes best when hermetically sealed. One can imagine UNESCO's dull bureaucrats slapping fines on the German Handel for composing English oratorios and Italian operas, or on Sir Thomas Wyatt for importing the sonnet from Petrarch. What UNESCO wants to do is protect cultural diversity by stamping it out. Louise Oliver, America's ambassador to UNESCO, is doing her best to amend the convention's most noxious bits. We wish her well.

■ Paris's former ambassador to the U.N., Jean-Bernard Mérimée—who sat on the Security Council in the course of his duties—has been detained by French authorities on suspicion of having received vouchers from Saddam Hussein for 11 million barrels of oil between December 2001 and March 2003. He's just one of at least eleven senior French officials and businessmen being investigated in the fallout from the Oil for Food scandal. Everyone from the U.N. to the French government is remaining tight-lipped on the matter, and it should be said that the 2004 Duelfer Report—which first mentioned his name in connection with the alleged kickback—noted that M. Mérimée did not receive his allocation. There is some doubt whether the ambassador knew he was a beneficiary, as he might possibly have been the target of a failed bribery plot. Possibly. In any event, this case is making some strange bedfellows: NATIONAL REVIEW is fully in accord with *Le Monde*, which said that "these suspicions are heavily denting the image of French diplomacy." Quite so.

■ Relations between the United States and Germany ought to clear now that Gerhard Schroeder has departed. For electoral purposes, he opposed American policies in Iraq and Iran, fragmenting what might otherwise have been a more coherent Western response. His foreign minister, Joschka Fischer of the Green party, never quite outgrew his radical past and enjoyed baiting the United States, especially over Iraq. Angela Merkel's victory over Schroeder's Social Democrats and Fischer's Greens, however, has been too narrow to afford her scope for new directions. Amid much hectic horse-trading between the political parties, and all of it carried out behind closed doors, she has been forming the coalition with the Social Democrats that the stalemate election forces upon everyone. In the process, she has conceded eight ministries to hangovers of the Schroeder regime, the very people she had been campaigning against a few weeks ago. No Mrs. Thatcher she, then. The new foreign minister is Frank-Walter Steinmeier, formerly Schroeder's chief of staff, with a reputation as a technocrat but an unknown quantity even inside Germany, let alone

AWKWARD QUESTIONS

Were Iraq, poof!, *made whole again,*
Would MoveOn move on, or,
With medication, shape up and
Stop being such a bore?
Could Kennedy, with counseling,
Rejoin the less disturbed?
All those perfervid liberals—
Can they, like Spot, be curbed?

—W. H. VON DREELE

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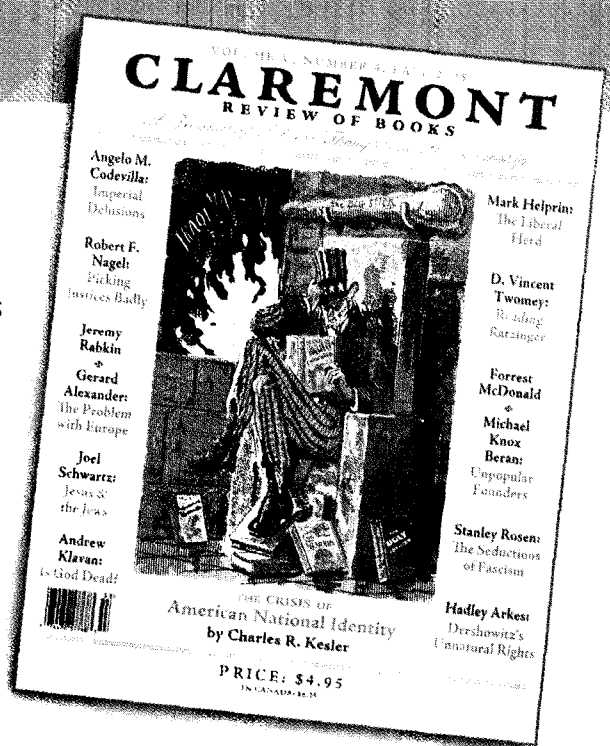
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THE WEEK...

outside. He has to be an improvement on Joschka Fischer—doesn't he?

■ Abimael Guzmán, the brutal, Maoist leader of Shining Path, the Peruvian revolutionary group once so strong, is standing trial in Lima. One of the charges against him is terrorism. As the Associated Press reported, "Guzmán, a 70-year-old former philosophy professor, said he was a leader of the Communist party, not a terrorist." Thought you would like to know that.

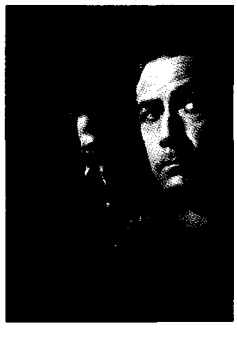
■ In charge of military intelligence in Beirut from 1982 to 2002, Gen. Ghazi Kenaan was effectively the Syrian Viceroy of Lebanon. A hardliner in the little Baathist clique around Hafez Assad, and then his son and heir Bashar Assad, Kenaan was greatly feared. His lust for power and money was legendary. On account of his intelligence background, he was widely suspected of organizing the murder of former Lebanese prime minister Rafik Hariri. His assets in the United States have been frozen, and the United Nations investigation into the assassination of Hariri has been closing in on him. Nobody need be too surprised, then, that he has been found shot dead in his office. His career suggests that he would always take other people's lives rather than his own—but the official Syrian word was "suicide." A colleague of Kenaan's, however, did not quite toe the line. Foreign minister Farouk al-Sharaa, another veteran of the Assad clique, told reporters that "unjust and vague information" had contributed to the "killing"—whereupon he quickly corrected himself, "I mean the suicide." As the KGB used to say, any fool can commit a murder, but it takes an artist to commit a suicide.

■ The Palestinian Authority tells us that, for the first time since 2000, more Palestinians were killed over the course of a year by fellow Palestinians than by Israelis. No doubt we will soon be instructed that, while it may not have been actual Israelis killing this year's toll of Palestinians, Israel was nonetheless to blame somehow. The entire approved story of the modern Middle East, after all, is that Palestinians suffer under Israeli persecution. How could there be any *other* cause of Palestinian suffering?

■ The star of New Europe has been Aleksander Kwasniewski, outgoing president of Poland. His evolution from Communist to democrat was genuine, not a mere political expedient. During his ten years in office, the remnants of the Cold War melted. Poland joined NATO. To Kwasniewski goes the credit for steering skillfully between Putin's Russia and Schroeder's Germany, and manfully helping Ukraine's Orange Revolution to avoid the violent outcome that once seemed likely. The presence of 1,500 Polish troops in the Allied coalition in Iraq has shown that, unlike some European decision-makers, Kwasniewski was willing to practice what he preached about freedom.

■ Those handing out the Nobel prizes have outdone themselves. For literature, we have Harold Pinter, whose main qualification seems to have been his unremitting—and juvenile and specifically anti-American—leftism. He is a worthy successor to Elfriede Jelinek, Dario Fo, and other such giants (whose political credentials are nevertheless impeccable). He is *not* a worthy successor to V. S. Naipaul—and therein lies a big problem with the Nobel prizes. Just when you are ready to turn your back on them, someone deserving wins. Mother Teresa and other good people have won the Nobel Peace Prize. But so have tyrants, rogues, and fools. This year's co-winners are Mohamed ElBaradei, director general of the International Atomic Energy Agency, and the IAEA itself. The IAEA has been basically useless in preventing nuclear proliferation, and it has perhaps been worse than useless—fostering a sense of security and attentiveness that is misplaced. But the IAEA has accomplished one thing: Like the U.N. under which it operates, it has positioned itself as a bulwark against the United States. That, undoubtedly, is what the Nobel people appreciate. Articles on the prizes for literature and peace appear elsewhere in this issue. The next round of prizes is twelve months away, but you can start cringing now.

■ While devout Muslims were preparing for the festival of Ramadan, with the call of the muezzin ringing out from minarets all across England's green and multicultural land, the town council of Dudley, in Worcestershire, took delivery of some pig-shaped stress relievers—those spongy things you squeeze in your hand while waiting to hear if you got a pay raise. This outrage induced terrible stress among local Muslims. Islam, you see, considers pigs to be unclean. Muslim mommies do not amuse their babies by counting off their toes with, "This little piggy went to market . . .," etc. Well, trotting along obediently with the *Zeitgeist*, the Dudley town council (controlled, we note with a sigh, by the Conservative party) promptly rooted out all pig-related items from its offices. One council employee was ordered to get rid of a box of tissues featuring representations of Winnie the Pooh and Piglet. Having thus brought home the bacon for his co-religionists, town councilor Mahbubur Rahman snorted with satisfaction that "it's a tolerance of people's beliefs." Doesn't tolerance have something to do with leaving people alone when they're doing no harm?



WARNER INDEPENDENT PICTURES

■ George Clooney's new movie about Edward R. Murrow's devastating attacks on Sen. Joseph McCarthy, *Good Night, and Good Luck*, gets everything right but the truth. He has the chain-smoking, the unconscious sexism, the stiffly gelled hair of the time all perfectly rendered—right down to filming it all in atmospheric black-and-white. Yet, for the purpose of rendering Murrow as a lone hero who slew the Republican dragon, Clooney omits the entire Cold War (and the hot one in

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Korea). What might have been a nuanced historical drama turns into a medieval morality play with you-know-who as Lucifer and the media—but of course!—reprising their traditional role as savior. Watching *Good Night*, one might be forgiven for thinking that the entire Communist menace—indeed, the very presence of KGB agents and sympathizers in this country—was invented by the crazed McCarthy to hoodwink us all. It's as if, having exhausted his time researching the manners and paraphernalia of the early 1950s, Clooney couldn't spare a moment to read the Venona decrypts that demonstrate the intensity of the Soviet espionage and subversion effort in the United States. In its airbrushing of history, *Good Night* is right up there with the greatest hits of old-time propaganda.

■ It's been raining a lot in the Northeast. A *lot*. To TV news producers, nothing spells "universal interest" like the weather, so naturally the region's diligent reporters have been all over the story. Alas, not all their work left our faith in the integrity of mainstream journalism fortified. NBC's *Today* show, for example, featured a live segment in which newsperson Michelle Kosinski was seen paddling a canoe in the flooded streets of Wayne, N.J. Just as viewers were digesting that Main Street, U.S.A., was navigable only by canoe, two men walked between Michelle and the camera, revealing that the water was, in fact, barely ankle deep. The quick-witted reporter carried it off very well, quipping: "Why walk when you can ride?" We couldn't help wondering, though, how many similarly misleading images are presented to us unspoiled by stray pedestrians, and are left uncorrected by those whose job it is to inform us.

■ In the topsy-turvy debate over the use of Indian mascots, no sports team has been at the wrong end of the proverbial scalping more often than the Washington Redskins. Inveterate Indian activist Suzan Shown Harjo has been on the warpath for 13 years, repeatedly suing the Redskins in an attempt to deprive the team of hard-earned wampum. Yet even in war, hope springs eternal, and a peace pipe may soon be in the offing: Ives Goddard, senior linguist at the Smithsonian Institute, powwowed with the term *redskin* for seven months and came to the conclusion that it originated in the 1700s as an Indian term, one used by both red skins and white skins as an expression of respect. Harjo refused to bury the hatchet, and responded instead with forked tongue: This is just another instance, she said, of a white man's upholding the "judicious speech of white men." We don't expect to see Harjo and Goddard doing the White Deer Dance at the same canticoy anytime soon, but the Great Spirit tells us not to lose hope: The life of man is spread out over many, many moons.

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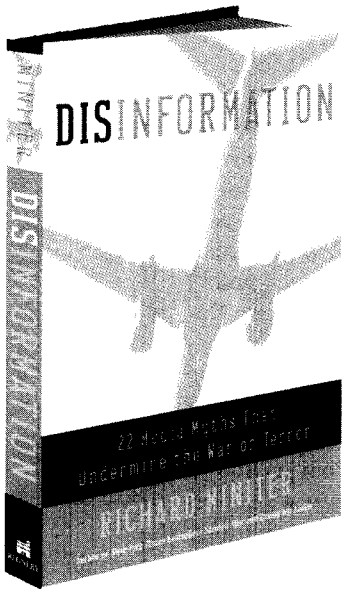

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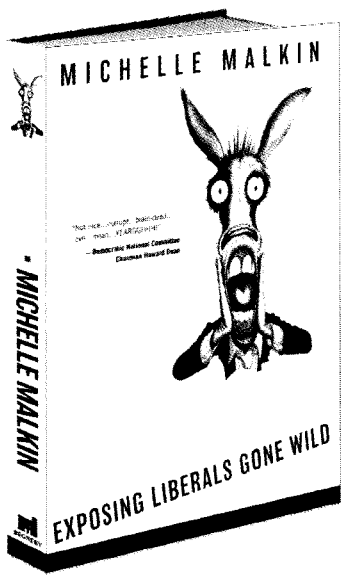

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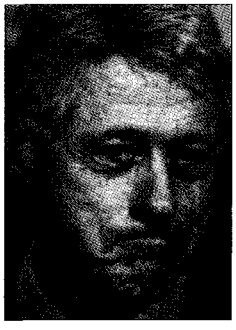
THE WEEK...

■ "Cry 'God for Harry, England and Saint George!'" King Henry V's rallying cry does not go over very well in modern, multicultural England. Even less acceptable is Saint George's flag, a red cross quartering a white background, which was carried prominently into battle by the Crusaders of 900 years ago in their attempts to recover the Holy Land from . . . persons of a certain "faith tradition." The cross of Saint George was later taken up as the national flag of England, and is commonly flown on the saint's name day, April 23. Such grossly insensitive displays must of course be stamped out. That, at any rate, is the opinion of Ms. Anne Owers, Her Majesty's Chief Inspector of Prisons. Carrying out her inspectorial duties at Wakefield Prison in Yorkshire, Ms. Owers was distressed to see corrections officers wearing flag-of-Saint-George tiepins in support of a cancer charity. "Staff should not wear unauthorized pins," barked Ms. Owers in her report, as they offer "clear scope for misinterpretation." Heaven forfend that the cringing, groveling, emasculated tenants of Tony Blair's England be "misinterpreted" as having any cultural connection whatsoever to the men who fought at Harfleur and Agincourt, Acre and Jerusalem!



■ The task set for the knight in the Wife of Bath's Tale was to find out "What thyng is it that wommen moost desiren." We forget what he came up with, but the question seems to present itself anew to each generation of men. What *do* women want from men? Once it was the rugged Clark Gable type breaking down the bedroom door. Then it was the empathetic New Man, with his pack of Kleenex ever handy to wipe away compassionate tears. After him came the "metrosexual," equipped with hair dryer and exfoliant. The latest fad in definitions of acceptable masculinity is encompassed by the term "ubersexual." The ubersexual male is a less narcissistic, higher-class version of the metrosexual, with the rugged cultural *savoir-faire* of James Bond joined to the emotional sensitivity of, oh, Bill Clinton. *Bill Clinton?* Yep, he's there at No. 3 on the list of world-class übersexuals put out by the JWT advertising agency, which dreamed up this whole silly business. The author of a current book on the topic declares that your ubersexual seeks "excellence in everything . . . fine wine, good cigars, understanding the finer things." Ah, yes, the finer things: whoppers with cheese, sleazy real-estate deals, and gals with big hair.

■ There has been a running argument, going back several centuries, between China and Italy over which nation was the first to eat noodles. Did the foodstuff originate in Italy, to be later taken over to China by Marco Polo? Or vice versa? Various strands of evidence were adduced, but the matter remained tangled in controversy until last month, when archeologists in western China uncovered a 4,000-year-old bowl of millet noodles. Since there was no such nation as Italy at the time, nor even a Rome, nor even a Troy for Aeneas to set out from *dum conderet urbem*, the Chinese evidence is dispositive. The meatball remains uncontestedly Swedish, and you don't get spaghetti with just one.

■ As readers may well know by now, this is the 50th anniversary of NATIONAL REVIEW. Yes, that first issue was dated November 19, 1955. In early October of this year, we celebrated with a few events in Washington. First, WFB was questioned by a panel of journalists (Robert Novak, Jeff Greenfield, and Jay Nordlinger). He explained the why and how of NATIONAL REVIEW. The next morning, he and the magazine were fêted at the White House. Eight eminent men spoke about WFB, and the last of them was the president of the United States. Then, that evening, we had our big gala dinner, attended by a thousand, in black tie and smiles. We will have more on these festivities in our special anniversary issue, coming in December. See you then (and for two issues in between)!

THE SUPREME COURT

Start Over

WHEN President Bush nominated Harriet Miers to the Supreme Court, we called it a missed opportunity. The ensuing debate has confirmed that judgment. For all the debate's fury, a consensus was reached early on that point. Leaving aside the president and his employees, even Miers's fiercest defenders allow that she was not their top pick—or even their tenth.

There is very little evidence that Miers is a judicial conservative, and there are some warnings that she is not. Miers is said rarely to have raised her voice in the Bush administration's internal policy debates, but it is known that she was a strong defender of racial preferences when they were being challenged before the Supreme Court. In the end, her influence helped sway the Bush administration to file a brief defending those preferences, which, in turn, helped sway the Court to uphold them.

There is very little evidence that Miers is a judicial conservative, and there are some warnings that she is not.

Miers's own career as a lawyer shows a strong tendency to identify with local elites and establishments, to go along with prevailing ideas, and to avoid doing anything that might cause unpleasantness or rock the boat. These are useful personality traits, but they are not the traits of a Scalia or a Thomas—the kind of justice this president pledged to appoint.

Miers's record on the Dallas City Council has been described as that of someone who was neither liberal nor

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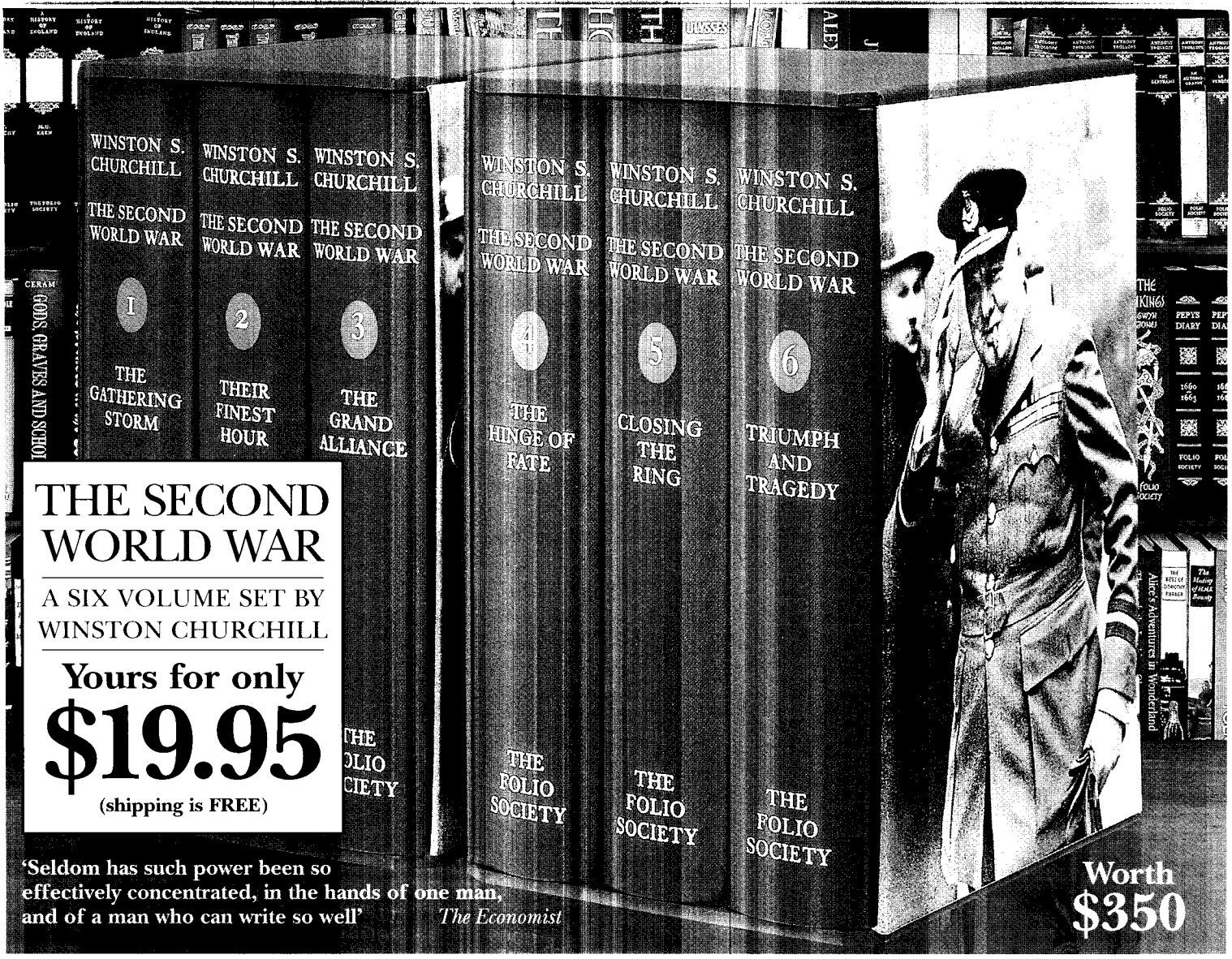

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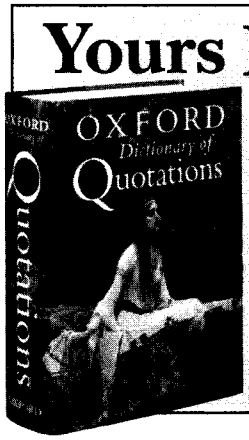

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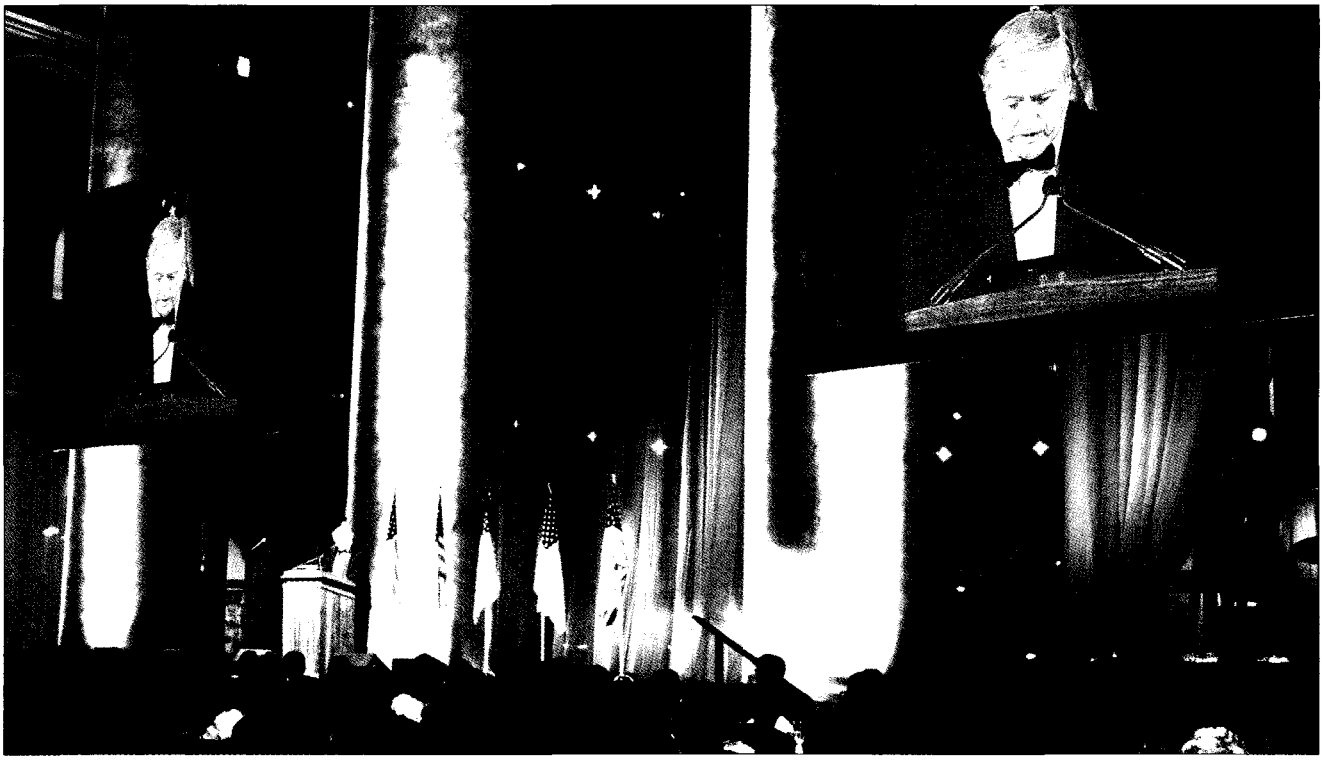
conservative. She rose at the American Bar Association, an organization deeply hostile to conservatives. At the White House she showed herself intensely protective of the ABA, opposing efforts to end its privileged role vetting judges—a privilege that the ABA had used to promote liberal judges and downgrade conservative ones. She donated money to the Al Gore campaign when her colleagues asked her to, and helped establish a lecture series at Southern Methodist University that brought feminist icons like Gloria Steinem and Susan Faludi to campus. She made a point of refusing any affiliation with the Federalist Society.

Miers's supporters argue that her conservatism is reflected in the judicial picking she allegedly did for President Bush. Most of this work was, however, done before she became counsel. They say that she is pro-life. (Her campaign to get the ABA to stay neutral on abortion, among other indicators, lends some credence to that avowal, and qualifies, but does not erase, the impression that she flees controversy.) They say that she has a strong evangelical faith. But neither being pro-life nor being an evangelical is a reliable guide to what kind of jurisprudence she would produce, even on *Roe*, let alone on other issues. Indeed, the fact that her supporters have had to resort to such weak defenses—and, worse, to pleasant generalities about her kindness to her colleagues, and to charges of sexism on the part of her critics—is perhaps the most distressing evidence that no stronger

notes & asides



■ Memo to: WFB
From: Linda

Dear Bill: Thought you'd enjoy seeing one of the photographs from our 50th-anniversary dinner in Washington, D.C.

■ Dear Mr. Buckley: It is now official. George Bush is responsible for the hurricanes. I have it from an unnamed source that Halliburton has a machine that makes them.

I thought you'd like to know.

With best wishes,
Horst Brakel
New York, N.Y.

■ Dear Bill: More from Johannes Eff. Enjoy!

Cordially,
Jack Kiley
Portland, Ore.

Ted Kennedy and Hawkeye: A Funversation

Kennedy: I need lessons from a crack shot,
To help me neutralize politically some Neanderthals not
Helpful in the current battle for the
Soul of a liberal America.
Hawkeye: Just show them how to shoot themselves in the
foot at the beach,
A lesson you are well-equipped to teach.

—WFB

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arguments are available in behalf of this nomination.

We are left with only stray clues to Miers's value system. Unlike John Roberts, or for that matter Ruth Bader Ginsburg, Stephen Breyer, or Clarence Thomas, Miers comes to the highest Court in the land as a practically unknown quantity, a gamble for incredibly high stakes.

Then there is the related issue of qualifications. She has had real accomplishments. But it speaks volumes that the president cited her service on a lottery commission as a reason to put her on the Supreme Court. Some of the president's supporters have argued that excellence does not matter in a Supreme Court nominee—that really any one of 50,000 lawyers could adequately do the job. This is unconvincing on its face. But if a refutation is needed, consider the career of Harry Blackmun. Here was a judge described even by his admiring biographer Linda Greenhouse as intellectually insecure. Like Miers, he was devoted to local establishments: the Mayo Clinic in his case rather than the ABA. Sure he was a loyal Republican; but almost as soon as he arrived on the Court, he was transformed.

Such will be the case, we have reason to fear, with Miers. And even if she does not become a Blackmun, her record strongly suggests she will be an O'Connor—a split-the-difference judge. As one of her former colleagues has said, Miers's office was the "place where the action stopped and the hand-wringing began." If she follows that course, we will be left with a Court that retains immense and inappropriate lawmaking power but refuses to make clear laws. The rule of law is based on the making of arguments and the giving of reasons, not on sentiment or group loyalty—which is the basis on which Miers's defenders want us to support her.

"The president trusts her" is not a good enough argument. The president has trusted a lot of people, some of whom have worked out fine, others of whom have not. To which category will Harriet Miers belong? It is possible that the confirmation hearings will shed light on that question. But we doubt it, given the ease with which nominees can sidestep searching queries.

What, then, should be done? Some prominent conservatives have called on the president to withdraw her nomination, and a few have urged senators to vote against her. If the president withdrew the nomination, we believe that he would seek a replacement who could unite conservatives—as he no doubt expected Miers to unite them. But that nominee would be tarnished, perhaps fatally, by the suspicion that the president was forced to pander to the Right. The president, moreover, surely does not want to risk looking less than strong and steadfast. The prudent course is for Miers to withdraw her own nomination in the interests of the president she loyally serves. The president could then start over. Both he and his party would probably benefit from having the clear fight with the Left over the direction of the courts that only a new nominee would allow. But for that to happen, some conservative senators are going to have to send a diplomatic message to the White House.

And conservatives and the White House will have to restore their working relationship. Some hard and ill-considered words have been said on both sides, but it is time for all involved to follow their interests, instead of their resentments.

IRAQ

A Constitution

TWICE this year the Bush administration has forged ahead with the Iraqi political process over the worries of critics. The first time was the January 30 election, when liberals said a vote could only be a prelude to a civil war. Now the administration has gone ahead with the constitution-writing and -ratification process, even though liberals and even some conservatives warned that it could only be a prelude to a civil war. But in an ethnically divided country, suffering a nasty spate of violence partly motivated by sectarianism, almost anything could be the prelude to a civil war. The administration has been correct to keep the process moving forward, hoping that it creates a momentum that draws in disaffected Sunnis and isolates the insurgency.

This may be a long process, but the apparent passage of the new constitution was a step in the right direction. Were there allegations of vote fraud? Yes, but we get those in Ohio. Was it procedurally imperfect? Yes, as a side deal was cut days before the vote. But by Iraqi or Middle Eastern or Third World standards, the process was pristine. The side deal was potentially significant, winning the endorsement of the largest Sunni political party for the constitution, in exchange for a mechanism to revise the constitution after its passage. Sunnis still voted overwhelmingly no, but they voted and are set to vote again in the December elections for a permanent government. This could be the beginning of a rough consensus on, if nothing else, the proposition that Iraq's disagreements are best settled at the ballot box and in backrooms rather than with roadside bombs and the sabotage of oil pipelines.

Of course, the insurgency still burns strong, and there is a hard core in Iraq that obviously has no interest in democratic dialogue, but aims to stop it altogether. We will win in Iraq when the balance of Iraq's Sunnis, who are providing sustenance to the insurgency, decisively turn against that vision. We are asking them to make the bitter realization that they are a 15–20 percent minority in Iraq and that the days of their ruling the country are gone forever. Some coaxing is in order. Under the prodding of the extraordinary U.S. ambassador Zalmay Khalilzad, Shiites already made concessions in the form of the 11th-hour deal on amending the constitution, and we should push them to give even more, in an attempt to create a grand national bargain on the political process.

There are, as President Bush outlined in his important speech to the National Endowment for Democracy, two ideological visions clashing in the War on Terror, and both are at play in Iraq. It is a fight between Islamic extremism and moderation, between the forces of backwardness and the forces of progress in the Middle East. If the extremists win in Iraq, it will be an enormous boost to the prestige of their cause and give them a base from which to pursue their grandiose designs on the Middle East and ultimately the world. On the other hand, a defeat in the heart of the Arab world, at the hands of fellow Muslims who seek a better future for themselves, will be a grievous blow to them.

Bush's speech was a crucial step toward clarity, casting aside the polite fiction that we are fighting a tactic (terror) rather than an ideology (Islamism). Clarity is the easy part, however, compared with the work still to be done in Iraq.

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■ THE SUPREME COURT ■

Set-Aside Set-To

If you're going to practice affirmative action on the Court . . .

KATE O'BEIRNE

WHEN President Bush nominated Harriet Miers to replace Justice Sandra Day O'Connor, adopting the view that there is a set-aside seat on the Supreme Court for a woman, he made clear that he wasn't merely redressing the bad old sexism his nominee faced as a young lawyer over 30 years ago. Calling Miers "a pioneer in the field of law," he credited her with "breaking down barriers to women that *remain* a generation after President Reagan appointed Justice O'Connor" (emphasis added). During his announcement of Ruth Bader Ginsburg's nomination in 1993, President Bill Clinton teared up at the injustice his gender warrior faced; President Bush remained dry-eyed, but the nomination of his own pioneer reflects the same gender-grievance politics.

The White House freely admits that the president limited his second search for a replacement for Justice O'Connor to women and minorities. The day before he announced his pick, the liberal *Austin American-Statesman* ran an editorial counseling that "Bush should put another woman on the court." Any suggestions? "Plenty of capable women are on the president's short list, with Harriet Miers, a moderate Texas lawyer and former State Bar Association president, being among the most notable."

The First Lady and the retiring justice herself both lobbied for a female nominee. When John Roberts was named as her successor, Justice O'Connor said that she was "disappointed, in a sense, to see the percentage of women on our court drop by 50 percent." The public, however, doesn't share her disappointment: In a Gallup poll taken after Miers was nominated, 82 percent said they would not have been bothered had Bush chosen a man for the seat. In a speech to an audience at the New York City Bar Association before Miers was nominated, Justice Ginsburg explained that even she wouldn't be disappointed if a nominee's sex weren't the decisive qualification. Ginsburg said that, for the next nominee, just "any woman will not do"; she worried that there are "some women who might be appointed who would not advance human rights or women's rights." Ginsburg recognizes that what a fellow justice will do on the Court is far more important than whether another set of black robes will be adorned with a lacy cravat.

The history of the first two women on the Court raises questions about the special approach to constitutional interpretation they are expected to bring to their work. In the *New York Times Magazine*, Jeffrey Rosen points out that between 1994 and 2004 Justice O'Connor voted more often with six of her male colleagues than she did with her sister justice—but Rosen does allow that O'Connor's support for affirmative action may have been shaped by her early difficulties in getting a job when she graduated third in her class from Stanford Law School. He speculates that Harriet Miers "may be similarly sensitive to women's issues because she, too, experienced job discrimination." Given President Bush's emphasis on Miers's trailblazing through hostile male territory over 30 years ago, he, too, would presumably not be surprised if, like O'Connor, she carried old grievances onto the Court.

But the point of trailblazers is that others come behind, and benefit from the path that has been cleared for them. It is 2005, not Texas circa 1970. Women now make up half of all law students, over 150 women are federal district-court judges, and almost four dozen are on federal courts of appeals. Today, there are scores of women whose credentials match those of the male lawyers typically seen as Supreme Court contenders.

Although it was the White House itself that held the view that women couldn't be expected to compete equally with men, when conservatives objected to the nomination of a candidate whose chief qualifications are her sex, her success as a trailblazer a generation ago, and her friendship with the president, Laura Bush echoed the White House charge that sexism seemed to be playing a role in the criticism. Gender warriors happily took up the charge—Sen. Barbara Mikulski said, "All of a sudden, when you pick a woman, we know that we always have to be twice as good."

The White House surrogates who weren't leveling charges of sexism at critics of the nomination were busy patronizing the nominee. On *Meet the Press*, Dr. Richard Land of the Southern Baptist Convention explained that he supported the nomination of someone the president

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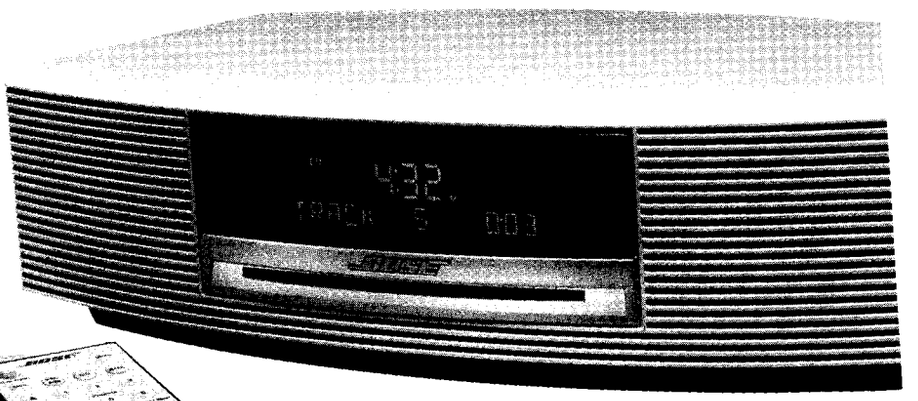

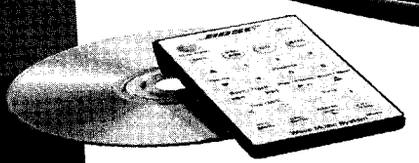

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has known for 15 years because "I believe he picked her because he knows her that well and that he knows she will vote the way he would want her to vote." Sen. Orrin Hatch quickly endorsed the Miers nomination, saying, "She's going to basically do what the president thinks she should." In the name of heralding women's achievement, the case for Harriet Miers has the distinguished lawyer wearing a W.W.G.D. (What Would George Do?) bracelet on our highest court.

Without a nominee whose credentials and jurisprudence speak for themselves, Miers supporters bootstrap her qualifications for the Court on John Roberts's long experience and dazzling performance during his hearings. The White House touts Miers's role in the selection of Roberts, and Land apparently expects her to follow his lead obediently: "I'll make a prediction for you. When she is confirmed, over the next five years, she and John Roberts will disagree about 1 percent of the time."

Although Miers has virtually no record on constitutional jurisprudence, she was the first woman hired by her Dallas law firm, the first female president of the Dallas Bar Association, the first female president of the Texas State Bar, and the first woman to head a major law firm in Texas. Owing to her pioneering practice, she is now the third woman to be nominated for the Supreme Court. But because he felt he had to nominate a woman, President Bush adopted a sex preference and overlooked far more qualified men; the destructive effect of such affirmative action is that there is no way to know whether Miers's earlier accomplishments were the result of a similar sex preference.

The president could have ignored the phony calls for diversity that mask a desire for judicial liberals and nominated a superbly qualified candidate, like John Roberts, regardless of sex; he could also have selected a woman who reflected women's full equality. He had the opportunity to acknowledge the talented, ambitious women lawyers who have followed trailblazers like O'Connor and Miers, and used the equal opportunity available to them to prove themselves fully equal to their male counterparts. Instead, he adopted a set-aside that sets back women by about 30 years. **NR**

■ **PUBLIC POLICY**

Ladies and Gentlemen, a Tax Reform

Consider this ten-point plan

RAMESH PONNURU

THE president's tax commission got some bad news on October 15. The *Washington Post* editorialized in its favor: "[T]he reform panel is heading toward politically explosive but sensible suggestions." Every time in the last decade that the *Post*'s editorial page has commended Republicans for advancing wise but politically risky policies, it has turned out badly for Republicans. The *Post* praised Newt Gingrich for trying to rein in Medicare costs in 1995. It praised President Bush in 2005 for being willing to reduce future Social Security benefits. Each proposal cost Republicans dearly.

The current case looks to be no different. The tax code allows people to deduct interest on mortgages worth up to $1 million. The commission reportedly favors gradually limiting the deduction to mortgages of up to $350,000. That's probably sensible policy. The federal government shouldn't be propping up the value of McMansions. But the affected voters, many of whom are Republicans, would probably not agree. Perhaps none of that would matter if President Bush still had an 80 percent job-approval rating. But he's running at less than half of that.

The commission's plan is supposed to simplify the tax system, encourage economic growth, and raise roughly the same amount of money as the current tax code. Proposals that meet these parameters generally don't have much chance of enactment. Yet it may just be possible to devise a politically viable plan that advances conservative policy objectives. Paradoxically, it becomes easier to think up such a plan if another objective is added to the mix: Tax reform should be pro-family, too.

Republicans tend to describe any tax relief as "pro-family," but the term should be understood in a specific sense. That the tax code penalizes investment is something that the commissioners understand. But they do not seem to understand that the tax code punishes investment in children. In previous generations, the tax code made more allowance for the costs of raising children. But decades of inflation have eroded those provisions. Federal policies let childless people free-ride on the financial sacrifices of parents, who raise the children who will one day pay for everybody's Medicare and Social Security. A pro-family tax cut would address that problem, too.

Here's what a ten-point plan for a pro-family tax-reform plan might look like.

1. Start with the current tax code, rather than trying to design a new one from scratch.

2. Triple the standard deduction. The current tax code gives you a personal exemption ($3,200 per person). It also lets you take either the standard deduction ($5,000 per adult) or various itemized deductions (for health-care spending, state and local taxes, and other costs). Fold the personal exemption and most of the itemized deductions into a much larger standard deduction of $15,000 per adult. The basic cost of living would not be taxed.

3. The itemized deductions for mortgage interest and charitable donations, however, should be kept. Under current law, people can take those deductions instead of the puny standard deduction. They won't take them if the standard deduction is tripled—and that could disrupt real-estate markets and charitable giving. So allow people to take these deductions *in addition* to the standard deduction. If we do that, though, more people will take the deductions. So the deductions will have to be a bit smaller. We might, for example, have to take the $1 million limit on the mortgage deduction down to $800,000.

4. Get rid of the alternative minimum tax for individuals. The AMT was originally designed to keep rich people from taking so many tax breaks that they paid almost nothing in taxes. But it has turned into a second tax system for an increasing number of middle-class families.

5. Fold the existing child credit, the child-care credit, and the adoption credit into a new, enlarged child credit of $2,500

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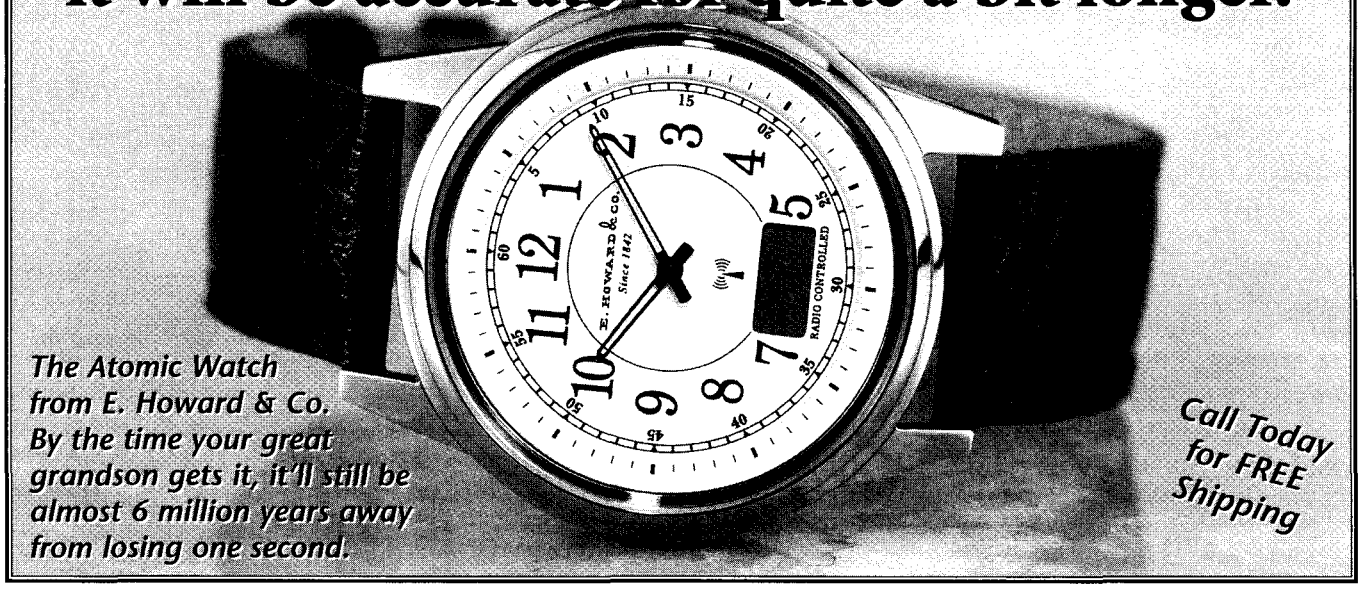

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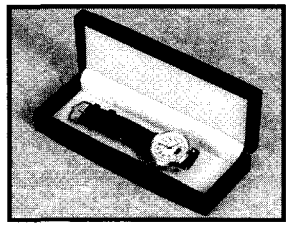

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per child—available, in full, to all households with children. This credit would be applied against income taxes.

6. Eliminate the "head of household" filing status. It's a way of helping single parents. But it makes more sense for single parents to file as singles while an expanded child credit helps children regardless of their parents' relationship.

7. Cut taxes on capital. Tax dividends once, either at the corporate or at the individual level. Treat capital gains as regular income—but exclude 50 percent of net long-term capital gains. Tax estates at the same rate as long-term capital gains.

8. Cut corporate taxes. Bring the top tax rate down to 32 percent. Where the tax code allows companies to take a full deduction on an investment in plant and equipment the year it is made, let them continue to do so. Other corporate investments should follow a new rule: Eighty-five percent of the cost should be deductible in the year it is incurred.

9. Replace the six individual income-tax rates with two, set at 16 and 32 percent. The border between them should be set so as to raise the same amount of revenue as the current tax code. Wherever that threshold is set for individuals, it should be set at twice that level for joint filers.

10. Stop real-income bracket creep. As people grow wealthier, they move into higher tax brackets. As a result, the government consumes a larger and larger share of the national economy. There's no reason to put government growth on autopilot. The income level required to trigger the 32 percent tax rate should rise with wages. So should the size of the standard deduction and the child credit. The charitable deduction, on the other hand, just needs to keep up with inflation. And the mortgage deduction shouldn't be indexed at all. Let its value slowly fall.

This plan may lack the elegance of the flat tax. But it enormously simplifies the code. The number of deductions and tax rates drops. The current tax code phases out the child credit and other tax breaks for higher-income households; this plan wouldn't have those complicated phase-outs. With the AMT gone, individuals would no longer have to prepare two tax returns. The tax code governing corporate investments would get shorter.

The plan is also pro-growth. The top marginal tax rate on individual income drops modestly, from 35 to 32 percent. Getting rid of the phase-outs also reduces effective marginal tax rates (since the value of the tax breaks would no longer fall as income rises). Corporate tax rates go down, too. Savings and investment get better treatment than they do today. The plan is revenue-neutral with respect to today, although it's a tax cut with respect to the future (since it ends bracket creep).

And it's pro-family. The major pro-family feature is the increased child credit. The reform lowers the tax burden on households with children and raises it on households without children. But the reform also eliminates the marriage penalty. The AMT, which punishes large families, is abolished. Eliminating the head-of-household filing status ends a subsidy to out-of-wedlock child-rearing. The reform even strikes a small blow for school choice. The current tax code doesn't let parents deduct private-school tuitions, but lets them deduct the property taxes that pay for public schools. Sweeping away the tax deduction for state and local taxes would end this bias.

Some conservatives will say this plan is too progressive. They'll say that it leaves too many people paying no taxes at all, and that these people will have no incentive to vote against big government. I used to share this concern myself. I don't anymore.

Conservatives usually insist on the dynamic nature of the economy and the aspirations of American workers. They explain that the distribution of wealth and income looks much more equal when adjusted for age. A lot of what looks like class inequality, in other words, is really a byproduct of the fact that households headed by 50-year-olds have more than ones headed by 25-year-olds. A tax cut that seems to benefit "the rich" is partly just benefiting "the middle-aged," and some of the people who now seem to be left out from it will receive direct benefits from it later.

If voters behaved the way conservative pessimists think they do—if they evaluated tax proposals based solely on the direct benefits they could expect to get from them right now—conservative tax-cutters would not have won as many elections or enacted as many bills as they have over the last generation. Conservatives' political strategy, no less than their economic-policy arguments, depends on people's ability to see that they can move ahead in life.

A pro-family tax cut shifts taxes from one type of household to another. But it also shifts the tax burden within a household over time: from when it is engaged in child-rearing to when it is not. Voters with kids are probably more likely than other voters to think in the long term about government spending and taxes. They will know that even if they are paying low taxes, or no taxes, while they have kids in the house, they will be paying higher taxes later. That will restrain any unhealthy enthusiasm for big government.

The last big tax simplification we had was in 1986. The reform plan outlined here would clean up the tax code similarly. Tax rates would, alas, be higher than they were then. In return, however, investments—in both financial capital (stocks and the like) and human capital (children)—would be treated better. It's a good idea. I'll go out on a limb and say it will still be a good idea even if the *Washington Post* eventually endorses it. **NR**

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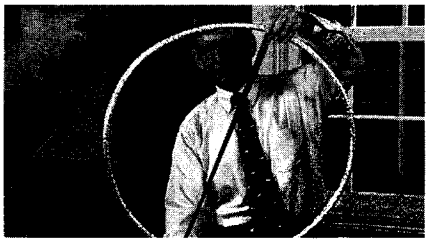

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■ PUBLIC POLICY II

Highway (and Other) Robbery

When it comes to raking in the funds, no one beats Alaska

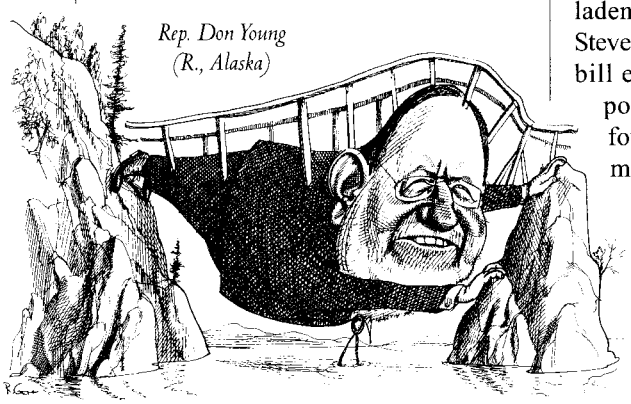
STEPHEN SPRUIELL

In October, Alaska Airlines ran a promotional deal that would sound odd to anyone unfamiliar with Alaska politics: "Alaska Airlines' popular Permanent Fund Dividend (PFD) fares are now on sale, offering savings of up to 35 percent off the lowest everyday fares . . ." Across the state, many other retail outlets are offering similar discounts. All are competing for the attention of Alaskans, who each fall receive a "Permanent Fund Dividend" check, paid out of the state's royalties on oil and gas. This year, the state will disburse roughly $510 million to Alaska's 600,000 residents, which works out to $845 apiece.

Meanwhile, Rep. Don Young, Alaska's lone at-large representative and chairman of the House Transportation and Infrastructure Committee, is coming under fire from conservatives in Washington for stuffing two bridges into the highway bill President Bush recently signed into law. Combined, the bridges will cost U.S. taxpayers $454 million—just slightly less than the amount Alaska will give away in PFD checks this year. One is designed to connect the town of Ketchikan, Alaska (pop. 8,000), to its airport on nearby Gravina Island (pop. 50), supplanting a ferry service that currently makes the trip in about seven minutes for a fare of $5 to $6. The other, "Don Young's Way," is literally a bridge to nowhere. The idea is to build a bridge between Anchorage and a small rural area called Point MacKenzie (pop. 111) in the hope that Point MacKenzie will *grow* into somewhere—a suburb of Anchorage (pop. 261,000).

Using Citizens Against Government Waste's definition of pork, Alaska ranks first in per capita pork spending. At $985 per resident, Alaskans received even more money in the form of federal pork this year than they will receive in their PFD checks. Some may find it puzzling that Alaska, which has no state personal-income or sales tax, can hand out millions of dollars in cash to its citizens and receive hundreds of millions of dollars in federal pork at the same time. How did a state that prides itself on its self-reliance and frontier spirit become so dependent on federal spending?

The answer, as people familiar with Alaska's political culture know, is Alaska's love-hate relationship with the federal government. "We're very much a red state and we're very much part of the western culture that hates federal control, yet we love federal money," *Anchorage Daily News* editorial-page editor Larry Persily says. "It's kind of like Alaskans want to go to bed with the feds but don't want to wake up and share breakfast with them."



Rep. Don Young (R., Alaska)

ROMAN GENN

To maximize their share of federal spending, Alaska has returned Don Young to Congress 15 times, and its senior senator, Ted Stevens, is the longest serving Republican in the U.S. Senate. Because of their seniority, Young and Stevens are in a position to fight hard for earmarks, and they do so in a way that CAGW president Thomas A. Schatz calls "unrepentant." Schatz says: "There's a manner in which Young and Stevens go about their business—they're both very tough, they take in a lot of money and give out a lot of money, and they're certainly not fiscal conservatives in terms of setting examples for their committees."

That's a major understatement. Here are just a few of the goodies Young and Stevens have steered toward Alaska in recent years: $1.8 million for berry research; $1.8 million for sea-otter recovery; $10 million for a psychiatric-treatment facility; $48 million in subsidies for the timber industry; and $500,000 to paint a giant salmon on an Alaska Airlines jetliner. Yet none of these projects compare to the pork Young and Stevens packed into the highway bill. A study by Taxpayers for Common Sense revealed that the $286.5 billion bill contained 119 special projects for Alaska, totaling almost $1 billion. Of the $24 billion worth of pork in the bill, Alaska got 4 percent.

Congress and President Bush share responsibility for letting such a pork-laden bill become law, but Young and Stevens are especially blameworthy. The bill exemplifies their attitude toward pork-barrel spending. When Young found out that Stevens had directed more pork to Alaska than Young himself had in 2004, the congressman famously told a group of Ketchikan Republicans, "I'd like to be a little oinker, myself. If he's chief porker I'm upset." After his highway bill passed Congress, Young told the *Anchorage Daily News* to expect more pork in the future. He compared it to hunting: "I'm always going to be looking for a bigger head."

Unrepentant indeed. After conservative Republicans in Congress started talking about rescinding some of the earmarks in the highway bill to pay for bridge repairs in Louisiana after Hurricane Katrina, the *New York Times* and *Wall Street Journal* floated the idea that Alaska should give up its now-notorious "bridges to nowhere." When a reporter for an Alaska paper asked Young what he thought about the idea, Young replied, "They can kiss my ear" and "That's the dumbest thing I've ever heard." He noted his participation in a charity golf tournament that had raised $500,000 for victims of Hurricane Katrina. "I raised enough money to give back to them," he told the paper.

Mr. Spruiell writes the media blog for National Review Online.

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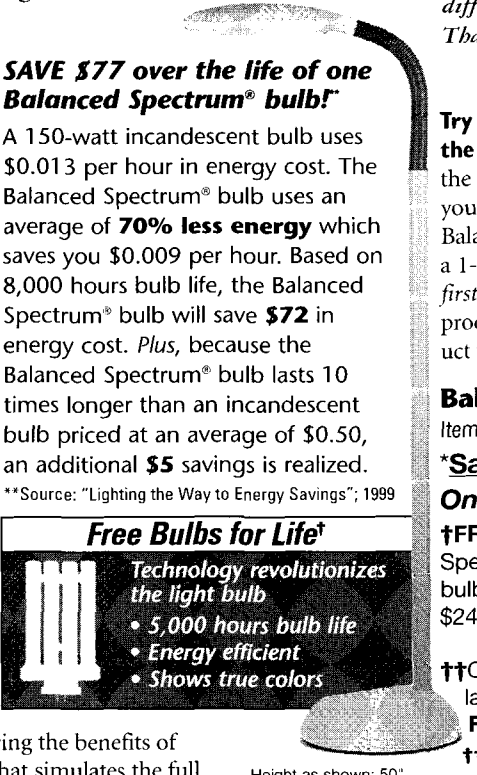

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When I talked to a spokesman for Senator Stevens, she was no less clear in conveying Stevens's support for the earmarks. I asked her specifically about the two bridges: After all, with so much infrastructure needing to be rebuilt in Louisiana, doesn't it make sense to give back those earmarks? She objected, citing three reasons. First, she said, the bridges are not bridges to nowhere; they are bridges to economic development for two regions of Alaska. Second, because the federal government owns roughly 70 percent of the land in Alaska, the federal government should help Alaska develop the land that's still available. Third, Alaska is a young state and deserves more funding in order to catch up with the "lower 48."

To take these in reverse order: The third argument doesn't really pass the test of common sense. Alaska became a state in 1959, and has ranked in the top ten in per capita federal spending since at least 1981. That's a lot of catching up already.

Second, the federal government's obligation to Alaska is to make more publicly-owned land available for development, not to build bridges to nowhere. "The feds own a lot of the land and set the rules for the land, which angers us," Persily says. "Alaska is a resource-development state, so every acre that might have oil or gas or gold is a lost opportunity." Perhaps if the federal government started loosening its grip on Alaska by opening the Arctic Natural Wildlife Reserve to exploration, Alaskans wouldn't feel as though the federal government had an obligation to build bridges to their uninhabited islands.

Third, as noted before, Alaska's high current revenues from oil and gas have enabled it to survive without state personal-income or sales taxes, and also to give away hundreds of millions of dollars in dividend checks each year. Conservatives should consider Alaskans fortunate to live in such a favorable tax environment, and question the wisdom of letting the state rather than the citizens of Alaska spend the dividends.

But if a majority of Alaskans desire a pair of exorbitantly expensive bridges to enhance the local economy, they can and should find a way to pay for the projects themselves—instead of billing the other 49 states. **NR**

■ **AT WAR**

What It Takes

If we are to win the War on Terror, we must do far more

ALEX ALEXIEV

In the first week of October, President Bush used, for the first time, the term "Islamofascism" to describe the enemy we're facing. In itself, this was a watershed in the War on Terror, but if we want to emerge victorious, we must go beyond rhetoric and directly confront the enemy's ideology, infrastructures, and sponsors.

We have done very little of that to date. To be sure, we have taken on al-Qaeda, the Taliban, and assorted terrorists, liberated Afghanistan and Iraq, and achieved considerable success in preventing terrorist acts at home. But we have not dealt with the true malignancy at work here. Simply put, it is not Osama bin Laden who is the problem, but the ideology and infrastructure of extremism that produced him and his ilk. And unlike him, this murderous ideology is not hiding somewhere in a cave, but is spreading rapidly and looks likely to become the dominant idiom in Islam.

Thirty years ago there was but one state (Saudi Arabia) living under extreme sharia, but today there are half a dozen countries fully or partially governed by that extreme politico-legal system—and several others heading that way. Since 9/11 alone, radical Islamist rule has been consolidated in northern Nigeria, and Bangladesh undermined as a secular democracy by Islamist elements in its own government. In Turkey, Ataturk's secular legacy is being methodically dismantled by Recep Tayyip Erdogan's Islamic regime.

In the West itself, Islamic extremism has made huge strides and dominates the burgeoning Muslim diaspora communities in many European cities. Under Islamist control, they are being transformed into separatist anti-societies that reject Western civilization and its norms. Many are increasingly willing to engage in violence against their fellow citizens. Fully 13 percent of British Muslims, according to a 2004 Home Office survey, approve of terrorism and 1 percent—a staggering 16,000 people—"engaged in terrorist activity at home or abroad, or supported such activity." Earlier German studies indicate that a quarter of Muslim school students are ready to use violence in behalf of Islam.

Confronted with this onslaught against its most fundamental values, the West has by and large refused to face the reality of this new totalitarian challenge and has instead taken to spouting politically correct platitudes. In the process, we have stubbornly refused to understand the two most salient characteristics of this existential threat to our civilization and the religion of Islam beyond. First, Islamism does not concern religion, but rather sedition and incitement to violence and murder. Second, it is almost always state-sponsored. Unless we grasp these simple facts about the threat we face and act accordingly, there is little hope we will make much lasting progress in the War on Terror.

Even a perfunctory look at the core beliefs of Islamism—as expressed in the writings of its leading ideologues—is enough to realize that it is our liberal civilization and its norms of freedom, democracy, secularism, and human rights that are the main enemy and target of the Islamofascists. It is these values Islamist sermons in mosques around the world urge Muslims to conduct jihad against and destroy. And those of us who believe in these values, Muslim and non-Muslim alike, *ipso facto* become apostates, deviants, and infidels, a category of subhumans whose blood can readily be spilled.

More disturbing still is that Islamist ideology would not have been possible without state sponsorship—first and foremost, by our "strategic allies," Saudi Arabia and Pakistan. It is America's strange blind spot about the nefarious role played by these "allies" that presents the greatest threat to dealing with the terrorist challenge.

The basic facts of Saudi sponsorship of radical Islam are too well known to require much rehearsal here. According to Riyadh's own admission, the kingdom has spent an average of no less than $2.5 billion

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per year for the past three decades to support "Islamic activities." This has allowed it to build and control 210 Islamic centers, 1,500 mosques, 2,000 schools, and 200 colleges in non-Muslim countries alone. As a result, there is hardly a Western city today that does not have an Islamist-controlled institution of one kind or another spewing hatred against the West and Muslims who refuse to submit to radical Islam. It is this infrastructure of extremist mosques, madrassas, "charities," and foundations that was and continues to be the real incubator of fanaticism worldwide and a foe vastly more potent than al-Qaeda.

While many in Washington now admit the nefarious role played by Riyadh in the past, they seem to believe that, as the kingdom has itself become the target of the terrorist monster it created, it has changed its tune. This is a delusion. The conflict between al-Qaeda's Wahhabis and Saudi Arabia's Wahhabis is more akin to a fight between Mafia clans over turf and spoils than a struggle between ideological rivals. There is no evidence whatsoever that the Saudis have stopped pursuing their subversive Islamist agenda through the dozens of fronts active around the world. Nor is it at all likely that they will do so unless they are forced. The House of Saud may be fabulously rich and seem all-powerful, but, stripped to its core, it is little more than a clan of corrupt potentates whose sole source of political legitimacy is the reactionary and obscurantist Wahhabi creed.

Washington exhibits much the same shortsightedness with respect to our other "strategic ally" in the region, Pakistan. After the London bombings—four years after Islamabad switched sides from being a patron of the Taliban and al-Qaeda to becoming an American ally—President Musharraf admitted that he had, in effect, done nothing to curtail the pervasive jihadist networks and madrassa hate-factories in his country. He has now made new promises to do that, but there is no reason to believe that it will happen. Indeed, the man charged with carrying out the task, minister of religious affairs Ijaz ul-Haq, recently denied any link between the madrassas and terrorism.

In the meantime, Pakistan remains the premier breeding ground of terrorists; the area bordering Afghanistan continues to be run by Islamists; re-energized Taliban remnants come and go as they please across the frontier; jihadist training camps are in business again in the tribal areas; and our hard-won gains in Afghanistan are at risk. The reason all of this is going on is far from coincidental. We need to realize that there is a deeply synergistic relationship between the Pakistani military and the Islamists, while Musharraf's "alliance" with us is, at best, a marriage of convenience and, at worst, one based on false pretense and duplicity. Musharraf is part of the problem, not the solution.

What, then, is to be done? The very first thing to do is admit that our policies vis-à-vis Pakistan and Saudi Arabia have been misguided and counterproductive. We might then ask ourselves a simple question: If democracy is good for Iraq, why is it not good for Pakistan and Saudi Arabia? The obvious answer requires that our relations and assistance to these states be made contingent on specific and meaningful steps toward democracy by the current regimes and active U.S. support for democratic alternatives. We should be fully prepared to view these regimes as adversaries. The status quo is simply unacceptable.

At the tactical level, we must immediately start treating Islamists and their networks as those guilty of criminal sedition and incitement to murder ought to be treated. We have abundant proof, for instance, that many Wahhabi international foundations and "charities" have been involved in abetting terrorism. If the Saudis refuse to close them down, we should do so unilaterally by designating them terrorist entities.

The West could also protect itself by enunciating laws that treat inciting violence under the guise of religion as a criminal offense and start putting the Islamists in jail. There are hopeful signs that this may indeed be happening in the United Kingdom, Australia, the Netherlands, and elsewhere. The United States should follow suit by reconsidering its own sedition laws.

The Enlightenment philosopher Denis Diderot once remarked that it is but a step from fanaticism to barbarism. Our best shot at preventing Islamist barbarism is doing everything possible to make sure that there are fewer and fewer fanatics tempted to take that small step. We can make a good start toward that end by going to the source of the Islamist malignancy and by putting some of the fanatics in jail before they have the opportunity to become mass murderers. **NR**

■ BRITAIN

Tories Wet, Dry, and Historic

Lady T. celebrates 80, while today's pols scramble to lead the party

JOHN O'SULLIVAN

London

MARGARET THATCHER's 80th-birthday party on the 13th of October was the last great social occasion of Thatcherism. Attended by the Queen and Prince Philip, Prime Minister Tony Blair and his wife Cherie, many members of the birthday girl's former cabinets, and almost all the luminaries of what in the 1980s was called "The Great Moving Right Show," it was both a glorious party and probably Lady Thatcher's final appearance as the star of a glamorous London event. (Well, as Lady T. herself might say—she being the possessor of a flinty sense of humor—not quite the last occasion.)

The Queen's presence was significant. Her journey to Downing Street as the guest of Winston Churchill on his last night as prime minister almost exactly 50 years ago was one of few precedents. (And Churchill, unlike Lady Thatcher, was still prime minister when he played host.) Also, the media like to hint that Her Majesty never much liked Thatcherism or its inventor. In addition to doubting this on the general grounds that the Queen is scrupulously careful never to reveal her political preferences (moderate Tory I would guess), I notice that HM has shown Lady Thatcher signal favors since she left office. In particular, she invited her to join the Order of Merit, which is the single greatest distinction the Queen can bestow and reflects, if not her personal regard, then her acknowledgment of the former prime minister's achievements.

From the standpoint of Buck House, of

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course, prime ministers, however distinguished (or not), come and go. The caravan has now moved on. This was a gracious public farewell. Tony Blair's reflections were presumably more complicated. It was generous of him to be present. Most Labour supporters still dislike Lady Thatcher, and Blair's attendance would only lend credence to their belief that he is Thatcher's bastard heir and a secret Tory. (Yes and No, if you care to know the answer.) But Blair is a social animal who, like Bill Clinton, thinks he can win anyone around. He likes a good party. And, as he has acknowledged, he admires many of the Lady's achievements.

Yet he must also have felt the cold hand of—no, not death, but retirement—on his collar. No prime minister can ever fully adjust to losing office. They instinctively wish to order action when confronted by some problem. They are haunted by what they failed to do. They replay the big decisions in their minds. Having announced in advance that he will retire before the next election, Blair is now conscious that That Day is racing towards him. When he swapped small talk with Lady T., he must have felt that he would soon be in her shoes—though with fewer achievements to his credit and, in all likelihood, many more years of post-prime-ministerial life to reflect on that fact. Or as they say in showbiz: Sic transit Gloria Swanson.

After Blair and the Queen left (in that order, contrary to Emily Post), the party went on in high spirits. Lord Carrington—Mrs. Thatcher's foreign secretary who resigned honorably because he failed to prevent the Argentine takeover of the Falklands—proposed a witty toast: "Travels with Margaret as PM were a nightmare—though nightmare is the wrong word since one never got any sleep." Disdaining her doctors' advice not to make public speeches, Lady Thatcher responded in kind. And then old enemies swapped stories of cabinet battles long ago; economists debated the virtues of monetarism one more time; MPs, current and retired, contrasted the heroine of those days with the pygmies of today . . .

Oh yes, that reminds me. When the last piece of sushi had been eaten, and the last flute of champagne drained; when the last guest had departed, and the amber glow of nostalgia finally dissipated, we walked out into the London streets to find that a Tory leadership election was going on. You could tell so from the tabloid headlines—to be precise, the *News of the World* headline a few days later that read, "Top Tory, Coke and the Hooker."

First, however, the story so far.

In the Tory system for choosing leaders, successive elections confined to the 198 Tory members of Parliament whittle down the contenders to two finalists. These then tour the country for a month, debating before the Tory volunteer faithful who choose the new leader in a nationwide election.

ZUMA PRESS

'Modernizing' Tory 'toff' David Cameron

The first ballot on Tuesday, October 18, produced a surprise result—Ken Clarke, the candidate of the old Tory "wet" establishment and a former finance minister, came in fourth and was eliminated. Clarke was far and away the most experienced of the candidates and also the most popular with the public—a genial, jazz-loving, beer-drinking, cigar-smoking, old-style pol who didn't give a damn. But the scale of his defeat—he got only 38 votes—suggests that the Tory party is now Thatcherite on the economy and Europe.

That leaves three candidates who, in ascending order according to the bookies, are:

1. Liam Fox, a tough, direct, and eloquent medical doctor who is probably the most pro-American British politician and who, at the Tory conference, was almost the only speaker to "mention the war"—the Iraq war, that is. He is also an unashamed social conservative in a largely liberal party. With 42 votes in the first round, he is technically the number-two right-winger in the race. But he can label his performance "better than expected" and hope to win votes on the basis of this "Medium Mo."

2. David Davis, the number-one right-winger, is the alpha male in this contest—an orthodox Thatcherite who happens to be the working-class son of a single mother. He made his meritocratic way from a municipal housing estate through school, university, the business world, and Mrs. Thatcher's governments to within a touch of the Tory leadership. He skis, climbs mountains, and reads for fun. And he used to be a weekend member of the famous commando Special Air Service. He finished first in the Tuesday ballot with 62 votes—but that was five fewer than were publicly committed to him.

3. David Cameron is both an old-style Tory "toff" from a good family and the candidate of the "modernizing tendency." He went from university into Tory politics as an adviser to ministers in John Major's government and from there into the Commons. As old-style Tory toffs used to say, "He's never had a proper job." He is thus the least experienced of the candidates and the most difficult to define ideologically. But he is smooth, charming, and bright—and the gods seem to be smiling on him. He was thought to have only about 30 votes in advance. In the event he collected 56.

His advance and Davis's doldrums began at the annual Tory conference. Davis, then the clear front-runner, made a merely competent speech that failed to arouse the assembled Tories and enabled the media to paint it as a failure. Cameron did a Liddy Dole, ignoring the podium, walking around the stage, and dazzling everyone with a relaxed personal talk. No one could remember what he had said, but everyone agreed that it was brilliant. He had, said grown men with straight faces, given them "hope."

That pattern of personality politics has continued since then. Davis tries to talk about tax cuts, Fox about the decline of the family. But since Cameron gains from the vague and inoffensive nature of his "modernizing" theme—and since the media like it—sharp debate on specifics never happens. So something else fills the vacuum, according to a familiar political equation: Campaigning

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Minus Ideology Equals Scandal.

Cameron began to be dogged by the reports that he has taken drugs in the past. They did not initially hurt him. Almost all young Brits have smoked marijuana at college. Then, cleverly, Clarke denounced the raising of such questions but added that he had never taken cocaine. Cocaine? That raised the stakes. The tabloids set to work and came up with a ten-year-old photograph of another Tory modernizer (Cameron's campaign manager) with his arm around a black prostitute at a table with a small amount of white powder on it. But the poor man's explanation was quite plausible. (He had no idea the woman was a prostitute, she was his friend's girlfriend, he had never taken cocaine, and so on.) Besides he wasn't Cameron who, as Tuesday's vote shows, continued to soar hopefully over these difficulties.

Any final result cannot be firmly predicted. Some votes cast on Tuesday were tactical; there are two ballots to go; and the final electorate is a different animal from the 197 MPs. Still, Cameron's support is rising in the opinion polls as well as at Westminster. Clarke's votes will transfer to him wholesale. And rivalry between Davis and Fox and their respective supporters could finally hand the leadership of a now-Thatcherite party to someone who, insofar as his ideological predilections can be discerned, is culturally hostile to Thatcherism.

A Cameron aide was quoted in the *London Times* as arguing that their strategy would be deliberately to lose their more right-wing voters in order to "fundamentally change the party" and become more attractive to centrist Liberal Democrats. The mathematics seem dubious—the rock-bottom Tory vote is about a third of the electorate while the Lib-Dems are doing spectacularly well when they get a quarter. More to the point, this strategy would leave the Tories vulnerable to a more formidable threat. In his desperation to leave a legacy, Blair is now advancing reforms of health and education that imitate Thatcherite ideas of private provision and market solutions in the public sector. It is an odd time for the Tories to elect a non-Thatcherite leader with an anti-Thatcherite strategy.

Maybe Blair's presence at Lady T.'s bash was not simple generosity, after all. He was wooing a new constituency. **NR**

■ THE WORLD

How Low Can They Go?

Mohamed ElBaradei and the International Atomic Energy Agency win the Nobel Peace Prize

JAY NORDLINGER

TEN years ago, a conservative writer asked a strange but pertinent question: Is the Nobel Peace Prize worth winning anymore? The occasion was the giving of the prize to Joseph Rotblat, a physicist who had spent his long life colluding with the Soviet Union in a bogus anti-nuclear movement. The conservative writer, I must confess, was . . . yours truly. And little has changed, in the ensuing decade.

The problem with writing off the Nobel Peace Prize altogether is that, occasionally, they give it to someone worthy: an Andrei Sakharov, a Lech Walesa, a Kim Dae-jung. But are they peace prizes, or, more accurately, freedom prizes? What do we mean by "peace"? Merely the absence of conflict, or the kind of peace that only freedom and dignity can bring? Prime Minister Thatcher put this well during the Cold War: "We speak of peace, yes, but whose peace? Poland's? Bulgaria's? The peace of the grave?"

Winner of this year's prize is Mohamed ElBaradei, the director general of the International Atomic Energy Agency. Or rather, he is co-winner, with the IAEA itself. In a similar manner, the Nobel committee gave the prize jointly to Kofi Annan and the United Nations. That was in 2001, a month after the 9/11 attacks. It seemed obvious that the committee wanted to send a message: "Don't go it alone, George W., the United Nations and multilateralism are paramount." They often do that, the Nobel committee.

In 2002, they gave the prize to Jimmy Carter, as a way of giving President Bush

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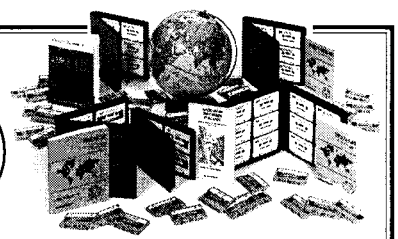

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and the United States "a kick in the leg." (Strange Norwegian expression.) That was the acknowledgement of the chairman of the committee, Mr. Gunnar Berge. Carter did not demur, but accepted his long-sought honor with grinning pleasure. When they gave the prize to Joseph Rotblat, the committee was sending a message to the French, believe it or not—who were testing nuclear weapons in the South Pacific. Chirac et al. proceeded undaunted.

This year, the committee went out of its way to deny that they were tweaking anybody: "This is not a kick in the leg to any country," said the current chairman, Ole Danbolt Mjoes. But it would be hard to interpret otherwise. In giving their prize for literature to Harold Pinter, the Nobel people were honoring just about the most anti-American writer around, and one whose literary gifts are not towering. And in giving their peace prize to Mohamed ElBaradei, they have honored a man who has opposed and sought to thwart the United States at nearly every turn.

The committee has always been naïve or offensive in nuclear matters. In 1962, they gave their prize to Linus Pauling, a brilliant chemist who believed and peddled every anti-nuke shibboleth. And then in 1985 they gave their prize to International Physicians for the Prevention of Nuclear War, whose chairman was a member of the Central Committee of the Soviet Communist Party (not known as a peace organization to human beings behind the Iron Curtain). This man—Yevgeny Chazov—signed the document that launched the official campaign against Andrei Sakharov, winner of the peace prize in 1975. Such is the screwy world of the Nobel committee.

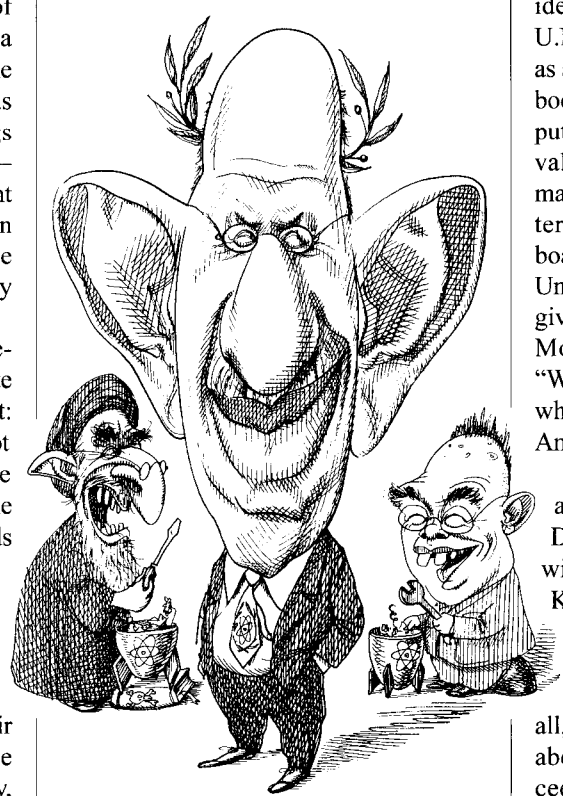
Joseph Rotblat was almost too egregious for words. Rather than recapitulate my 1995 piece, I will relate just one fact: Rotblat and his band were decorated, not only by the Nobel committee, but by the Czechoslovakian dictator Husak and the Polish dictator Jaruzelski. These awards were not given idly.

But try a second fact: Rotblat & Co. derided Israel's fear of the nuclear facility built by Saddam Hussein. Israel blew that to smithereens; they were not awarded the Nobel Peace Prize for their deed; after the Gulf War, however, the U.S. secretary of defense, Dick Cheney, thanked them for it.

It is reasonable to assume that the Nobel committee was saying, among other things, "Ha, ha," when it gave the prize to ElBaradei and the IAEA: "Ha, ha, George W., this agency swore that Saddam did not have weapons of mass destruction, and they were right, and you were wrong."

But what had the IAEA's record in this area been? On the eve of the Gulf War, the agency gave every assurance that Iraq was in full compliance with the Nuclear Nonproliferation Treaty. (Incidentally, Saddam Hussein's government served on the IAEA's board of governors from 1980 to 1991.) After the war, the then–director general, Hans Blix, admitted, "It's correct to say that the IAEA was fooled by the Iraqis." It is also correct to say that, in 2003, a second President Bush was not prepared to accept the word of the IAEA, or of the Hussein regime itself.

Mohamed ElBaradei succeeded Blix in 1997, having worked for the agency since 1984. He is an Egyptian, a diplomat-lawyer, and the classic international-organization man. He is not dissimilar to his fellow Nobelist, Kofi Annan, in this respect. And he has a peculiar view of nuclear weaponry: believing that an established nuclear power (such as the United States) has no real right to block others from acquiring the same destructiveness. Here's ElBaradei in the *New York Times*, last year: "We must abandon the unworkable notion that it is morally reprehensible for some countries to pursue weapons of mass destruction yet morally acceptable for others to rely on them for security." That is a staggering statement for the director general of the International Atomic Energy Agency to make.



ROMAN GENN

Mohamed ElBaradei, and others

ElBaradei had long been a candidate to win the Nobel Peace Prize. He was not informed in advance by the committee, but learned of his victory from television. He was watching the announcement, live: "I was about to start grumbling about the choice," he later said, but then he heard his name, amid the Norwegian talk. "It was just a delightful surprise." No doubt. ElBaradei understandably basked in this affirmation of his work, saying that the prize meant "the international community has full confidence in the IAEA." Furthermore, "the prize recognizes the role of multilateralism in resolving all of the challenges we are facing today."

And what has the IAEA done? This is something of a rude question, because the idea of the IAEA—like the idea of the U.N.—is more beautiful than the IAEA as a reality. Joshua Muravchik, in his new book *The Future of the United Nations*, puts it nicely: "For many of those who value [the U.N] most highly, its performance is not the issue." Rather, what matters is some collectivist ideal, and no boat-rocking or moral kvetching by the United States. When the Nobel committee gives its peace prize to Kofi Annan, or Mohamed ElBaradei, they are saying, "We are for what ought to be, instead of what is"—a world dependent for peace on American strength.

Back in January, I watched ElBaradei at the World Economic Forum, in Davos, Switzerland. He was on a panel with the Iranian foreign minister, Kamal Kharrazi. They gave the appearance of being chums and allies, and spoke as though Washington's concern about Iranian nukes were terribly silly. After all, Bush and his team had been wrong about Saddam, yes? And yet Iran succeeded in fooling the IAEA about its program for 18 years. It took an Iranian

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dissident group to blow the whistle on the nuclearizing mullahs. Even now, the IAEA is refusing to refer the Iran case to the Security Council, despite what appears its statutory obligation to do so.

But what would the Security Council do anyway? Russia and China sit on it, and they are friends and suppliers of Iran—just as they are friends and suppliers of genocidal Sudan, another arena of U.N. failure.

And what of North Korea? It seems certain that Pyongyang developed its nukes after signing the nonproliferation treaty, and while "dancing around the IAEA," as Muravchik puts it.

Perhaps most galling in ElBaradei's post-victory remarks was his taking credit for Libya—for bringing Moammar Qaddafi to heel. It strains credulity to suggest that the IAEA had anything at all to do with that. As Jed Babbin explains in his own recent book on the U.N.—*Inside the Asylum*—President Bush started the Proliferation Security Initiative in 2003, basically to do the work of the IAEA. Eleven nations operate under the PSI, blessedly free of the U.N. framework. One of these nations, Italy, interdicted damning materials going to Libya. That, coupled with America's performance in Iraq, prompted Qaddafi to fess up and give in.

It may be argued that there is only so much the IAEA can do, and that its relative impotence is not its fault. That may be. As Muravchik writes, "Just as U.N. peacekeeping can work well where the parties all want peace, so the IAEA provides mutual reassurance among states of good faith." That's why the agency spends the bulk of its "safeguards" budget monitoring—get ready—Canada, Japan, and Germany! "But for 'rogue' regimes, the IAEA has presented few barriers."

For which, again, the IAEA is not necessarily to be condemned. But give it the Nobel Peace Prize, the world's most sanctified award?

Last year, the committee honored a Kenyan woman who plants trees and claims that AIDS is a Western plot to wipe out black Africans. The chairman of the committee remarked, "We have added a new dimension to the concept of peace." In their choice of ElBaradei and the IAEA, they have added nothing new—but it has precious little to do with peace. **NR**

■ **THE WORLD II**

How Low Can They Go? II

Harold Pinter wins the Nobel Prize in Literature

DAVID PRYCE-JONES

THE award of the Nobel Prize for Literature is one of the year's more amusing moments, in its way a little gloss on the age. A committee of 18 Swedes is responsible for it, and they all have membership in perpetuity. Publishers, translators, and other lobbyists swarm around them, and their final choice almost invariably depends on politicking rather than literary appreciation. Plucked from obscurity, recent winners like Elfriede Jelinek, José Saramago, and Dario Fo reveal the anxiety of those 18 Swedes to be in what they think is the fashionable swim. And this year they have extended the entertainment by picking Harold Pinter.

Some fifty years ago, he began writing plays whose point is that they have no point. Characters exchange inarticulate snippets at cross-purposes while nothing happens, culminating in nothing. The threadbare dialogue, and the banality of its context, are said to generate an atmosphere of menace and silence, as though that were the sum total of the human condition. Chaim Bermant, a genuine literary wit, once cut unforgettably through the tiresome mystification, writing, "Harold Pinter is a man of few words, most of them silly." Mark Steyn, another genuine wit, has summed up Pinter's dramatic technique as "a pause, followed by a non sequitur."

The opening page of the Pinter website carries a dictum of his from 1958: "There are no hard distinctions between what is real and what is unreal." So major a confusion explains how Pinter has become to the stage what John Cage is to music. It's all derived from Joyce and Beckett, and Pinter has paid his respects to the latter with the impoliteness he likes to cultivate towards others: "The more he grinds my nose in the sh**, the more I am grateful to him." Portmanteau expressions like "the theater of the absurd" are the attempts of modernist academics and critics to find meaning and art where neither exists.

Pinter's plays, especially the more recent ones, are mostly short, some of them lasting only a matter of minutes, as befits the absence of content. Back in the 1960s, Pinter was already publishing poems, and has continued to do so. The poems are shorter still, haiku-like. He is a fan of cricket, for instance, and one poem concerns a once-famous cricket player by the name of Len Hutton. It extends over three lines without punctuation: "I saw Len Hutton in his prime / Another time / another time."

Here is another example of his special triteness:

> Everyone is as beautiful
> as they can possibly be
> Particularly at lunch
> in a laughing restaurant.

He tends to mail these efforts to friends and then expect applause. Asked after a week what he thought of the latest four-liner, Simon Gray—a more traditional playwright and a wit as well—is supposed to have answered that he hadn't yet had time to read to the end. In another famous story, Pinter is said to have told Tom Stoppard that he wanted the Comedy Theatre to change its name to the Pinter Theatre. Stoppard replied that Pinter should then call himself Harold Comedy.

Pinter has only himself to blame that he has become a comic figure in the small village of literary London. He is married to Lady Antonia Fraser, who keeps the name of the former husband she left, a Scottish aristocrat and Tory politician. She has written biographies of Mary Queen of Scots, Cromwell, and Marie Antoinette. They live in a beautiful house in fashionable Kensington (where I too live). In the days of Mrs. Thatcher, they assembled a literary salon there as though they were dissidents in danger. The self-indulgence was grotesque since all present had money and reputations—and in some cases titles—heaped upon them in reward for

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their left-wing opinions. When Blair was elected prime minister, Pinter declared himself in his habitual idiom "chuffed to our bollocks" (tickled pink). Without apparent irony, Lady Antonia refers to Pinter as "the Shakespeare of our time." The pretensions of these radical-chic grandees have earned them the nickname "Goethe and Schiller."

In person, Pinter appears to be always in a bad mood, his face set in a scowl as he searches for someone around whom to stage another little play of rudeness and disapproval. Christopher Logue, the poet, one day said to him that, all things considered, he and Pinter had had a pretty good run, whereupon Pinter grabbed him by the throat, snarling, "What are you trying to say, you little sh**?" At a dinner party once, the lady sitting between him and me criticized the Sandinistas, so he ranted at her, "Pretty women like you think that they can say anything and get away with it because of their looks—well, you can't."

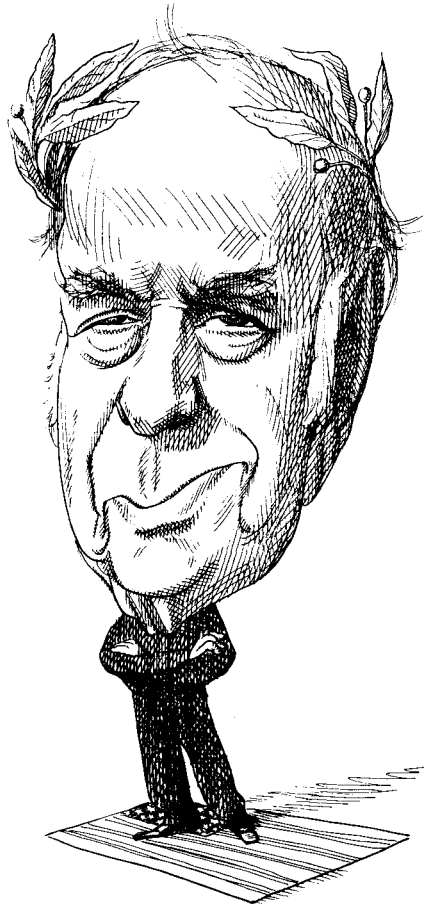
He was not always so. I first met him after my return from covering the Six-Day War of 1967, and he was then an eager Zionist, emphasizing his Jewish background, open and modest. For unknown and perhaps unknowable reasons, at some point in the 1980s Pinter underwent a change, and ever since has been sticking out his tongue with the political attitudinizing of a 14-year-old.

Perhaps nobody else in Britain has been so unremittingly and childishly hostile to the United States. Every anti-American cause is now his. Pacifist though he claims to be, he resorts to language and imagery extolling violence. Absorbed in his own ego, he has abandoned himself to bully-boy invective in which intellect, argument, debate, knowledge, have no part to play. On one occasion, also at a dinner party, he was praising Ayatollah Khomeini for his stand against the United States. When I took him up, I discovered that Sunni and Shia were terms new to him. Ignorance only reinforces his passion.

Participating in the Cuban Solidarity Campaign and the International Committee to Defend Slobodan Milosevic, he supports two of the most brutal tyrants in the world. Turning his former Zionism inside out, he now advocates boycotting Israel. No longer chuffed by the prime minister, he told the BBC that Blair "loves to drop a few bombs. It gives him, I think, great excitement." As luck would have it, on the day before 9/11, in a speech accepting an honorary doctorate in Florence, he described the United States as "arrogant, indifferent, contemptuous of international law . . . the most dangerous power the world has ever known." The murderers of 9/11, he also said, were engaged in "retaliation." (That same summer, Lincoln Center in New York was putting on a festival of his plays, and hatred of America did not oblige him to reject his royalties.) During the last three years, he has been spouting about the iniquity of the Iraq War and Saddam's overthrow, thus helping to align the Left behind another monstrous dictator.

"American Football" is a poem that opens:

> Hallelujah!
> It works.
> We blew the sh** out of them.



ROMAN GENN

Harold Pinter

"God Bless America" is no less typical.

> Here they go again,
> The Yanks in their armoured parade
> Chanting their ballads of joy
> As they gallop across the big world
> Praising America's God . . .
> And all the dead air is alive
> With the smell of America's God.

Lines like these are graffiti, rather than poetry. Which is more striking, the feebleness of the diction, or its incompetence? How are Yanks supposed to be chanting ballads in armoured parades, and how are armoured parades supposed to gallop? The final two lines of a recent poem are, "All we have left are the bombs / Which polish the skulls of the dead." But how can bombs conceivably polish anything, let alone skulls?

Here is one of his numerous outbursts against the twin *bêtes noires* currently obsessing him, in a letter to the *Guardian* in November 2003 when Blair was being received in the White House: "Dear President Bush, I'm sure you'll be having a nice little tea party with your fellow war criminal, Tony Blair. Please wash the cucumber sandwiches down with a glass of blood, with my compliments." Speaking in Trafalgar Square at a demonstration against the Iraq War earlier this year, Pinter could hardly utter any except four-letter words. This inspired Craig Brown, a satirist of natural brilliance, to rewrite famous poems in Pinter's voice. It's irresistible to quote at least Byron duly Pinterized: "We'll go no more a-roving / So late into the night, / Certainly not if the Blair fascists / Have their f***ing way / And gag myself and Lady Antonia / And leave us head-first in a f***ing gutter."

Those 18 Swedes know all this. They are opportunists. The manipulation of an anti-American demonstration that will echo around the world, they hope, will confirm their leadership and prestige. Pinter has to make a 45-minute speech of acceptance in Stockholm this December. This promises to offer the comedy of a pompous white-tie-and-tails affair completely overwhelmed by crude political invective, altogether such a coronation of radical chic that the real and the unreal at last may truly be indistinguishable. **NR**

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■ COVER STORY

Buckling His Chin Strap

Sen. George Allen—likable, conservative, and tough—prepares to run for president

RICHARD LOWRY

SEN. GEORGE ALLEN is standing on the sideline of an empty Giants Stadium about an hour-and-a-half before the 1 P.M. start of a New York Jets vs. Tampa Bay Buccaneers game. His brother Bruce is general manager of the Bucs, so Allen is here to root on the family team. He is idly handling a football, tossing it from one hand to the other, and, whenever he can find a willing target, throwing spiral passes—to a friend, to one of his brothers, to me.

A guy with a vest reading FIELD PHOTO comes up to him: "You're going to be a tall president," he says, smiling. Allen laughs and they banter about the senator's height. He is commonly called 6' 4", but he is quick to note he is more like 6' 3½" or 3¾", explaining that you never want to be inaccurate or to be seen as exaggerating. It is an unremarkable interaction, but the photographer has hit on something important: Standing there, basically unnoticed, soaking in the pre-game vibe, is quite possibly the next president of the United States.

It is not hard to do a calculation that says at this early stage in the '08 race George Allen has perhaps a better chance of winning the nomination than any other Republican. He combines the people skills of a Bill Clinton, with the convictions of a Ronald Reagan, with the non-threatening persona of a George W. Bush circa 2000, prior to his becoming a hate-figure for the Left. Profile writers often invoke Reagan and Bush in describing Allen, but the senator is emphatically his own man, with a personal history that has forged a rare and particular political talent, blending amiability with a streak of competitive ruthlessness in a way that makes him, at age 53, one of the nation's top politicians.

He is about to embark on a challenging journey: running for reelection in Virginia next year, then—assuming he doesn't founder on unseen shoals—for the Republican nomination in 2008. This will be the personal test Allen has always been, consciously or not, building toward. In Giants Stadium terms, now he's in the pre-game, when the stadium speakers play upbeat rock music and the players chat and stretch; soon enough he will be in the real game, when the roar of the crowd is so intense that down on the field it almost feels like it could knock you over, and players either succeed—or fail.

That stark contrast of success or failure, win or lose, advance or go home, is what Allen grew up with as the oldest son of the Hall of Fame L.A. Rams and Washington Redskins coach George Allen. Senator Allen thrills to the fight, but it would be easy to miss it at first blush. He is one of the most infectiously likable politicians in America, a natural at putting people at ease and getting them to laugh. He makes whomever he's talking to seem his only concern in the world, and is a master at finding common ground for small talk.

Football gives Allen a conversational entrée with nearly any American male. And it is one he never leaves unexploited. What Shakespeare is to the sonnet, Allen is to the football analogy. Over a period of a couple of months, I heard him compare every significant event in Washington to a football play or situation.

Here's how he describes the decision of the Senate Foreign Relations Committee to delay a vote on the John Bolton U.N. nomination after Sen. George Voinovich unexpectedly opposed the nominee, threatening a tie vote in committee: "A 9–9 vote would have killed the nomination. We needed to play for second down. If a receiver's running a pattern and he falls down, instead of throwing an interception, you want to throw the ball away."

He says his advice to Supreme Court nominee John Roberts, prior to his hearings, was "to watch out for crack-back blocks." Allen thought Roberts was terrific in the hearings, because he "had

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his head on a swivel"—a football phrase for being alert. To illustrate why he wants Bush's next pick to be a conservative too, he takes a reporter's notebook to outline a "play," a little diagram displaying the Court's current makeup with L's for liberals, C's for conservatives, and S's for swing votes.

After Bush picks Miers, he says some deference has to be accorded Bush's choice, because the president has the right to make "the draft choice." And sometimes draft choices that seemed initially a mistake work out. "Eagles fans booed," he recalls, "when they drafted Donovan McNabb," now one of the NFL's stars.

The constant football patter is part of Allen's down-home persona. He always wears cowboy boots ("not if I'm cutting the grass—yeah, well, then too"). He likes big belt buckles and he dips tobacco, consuming about a can every three or four days of Copenhagen, which is strong stuff ("dark-fired, probably from Tennessee or Kentucky"). A spit cup is always nearby, and he does an intricate little ritual without touching the tobacco when putting some in his mouth—opening the can, scooping the snuff onto the top of the lid, replacing the lid on top of the can, then swiping the can near his mouth to tuck the tobacco into his lower lip.

Allen is the Senate's foremost expert in a certain kind of guyness. He will pour good-natured scorn on any softness. "With cream in it?" he asks incredulously in a CNN green room. "That's not real coffee." His brother Gregory is a psychologist, and recently made a reference to the TV show *24*, which Allen says was lost on him. As is any other program "not on Fox, CNN, or ESPN." "Bruce, I understand," he says of his other, general-manager brother—"he's in football."

Allen has benchmarks for whether he will instantly find someone compatible or not. If he likes NASCAR is one, and "if his driver is Earnhardt Jr., that's someone I agree with." (He commemorates the elder Earnhardt with his old number on one of the family vehicles: "My daughter drives the red Durango. She says it's so redneck with the 3 in the back, but I said that we'll get another 3 when it wears off. Be proud of that hanging on there.") If he is a rough-and-tumble Oakland Raiders fan, that's another good indicator. If he is Harley-Davidson rider, that's still another. These are all signs, as Allen puts it, of "good, individualistic, non-conformist minds."

The whiff of anti-authority in these types that Allen finds so congenial relates to his limited-government political philosophy. "My two political heroes," he says, "are Ronald Reagan and Thomas Jefferson. I look at Reagan as a modern-day Thomas Jefferson. The principles enunciated in his writings are the spirit of this country and its founding. Ronald Reagan then applied those principles to the challenges we face these days. Those two had, as I do, a trust of free people and free enterprise. They are the ones that don't like a burdensome, costly, meddlesome government and they are the ones who were optimistic about the individual human spirit."

It is a set of beliefs that travels with Allen's populism: "Jefferson had an observation, and it's true: You have the elites that try to garner all power to just a few people because they think they know more than everyone else, and then there are those that trust the people. I look at the owners of this government as not the Senate, not the president, not all these different departments, agencies, and bureaucracies—it's the people."

'WE WERE THE REBELS'

Allen first got active in politics in 1976, when he was Virginia youth coordinator for Reagan while attending law school at the University of Virginia, where he had also been an undergrad. He knew Reagan from California in the 1960s, because the governor would visit Rams practices when George Allen was coach. In '76, Reagan was challenging a sitting president, Gerald Ford. "We won Virginia," Allen says, noting with satisfaction, "we were the rebels."

Local party officials urged Allen, who had started his own law practice, to run for a seat in the House of Delegates in 1979. His handlers, Allen recalls, "told me you can't wear shiny belt buckles and you can't wear boots. You have to wear shoes and these tiny belts. I listened to them and lost." His feet got blisters from the wingtips, which he put in a closet in his log-cabin home to turn gray with mold. He says that, shortly thereafter at the Green County Fair, delegate George Beard gave him the best advice he's ever gotten: "He said, 'This is hard enough as it is—be yourself.'"

He won the next time around, wearing his boots, by a slim margin. "That night, the margin was 18 votes," he recalls, "and my father says, 'Gosh, this is better than beating Dallas.' To me that was the highest compliment."

After serving nine years in the House of Delegates—in the old seat of Mr. Jefferson, as he is reverently known in those parts—he ran in a special election for an open congressional seat. He won handily, but Virginia Democrats redistricted him out of the seat. He vowed "to load up the truck and move, like the Beverly Hillbillies," and run wherever he had to. Instead, he decided to run for governor.

It was a three-man primary for the GOP gubernatorial nomination. Allen had no money, so he had to travel the state in his RV inspiring a grass-roots army. Allen bulldozed to victory, winning 64 percent of the vote at a nominating convention with 13,000 delegates, supposedly the largest such assemblage ever in the Free World.

Allen was broke, relatively unknown, and trailing the well-financed two-term Democratic attorney general Mary Sue Terry by 27 points. Little did she know it, but Terry was about to be hit by that truck out of *The Beverly Hillbillies*. She declined to run negative ads immediately, ads that might have linked Allen to the "radical Right" (the Republican lieutenant-governor nominee was

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"THE METH EPIDEMIC ...AMERICA'S MOST DANGEROUS DRUG"

-- Newsweek[1]

METHAMPHETAMINE CRISIS: HYPE OR FACT?

"This is the beginning of a classic scare where you have horrible anecdotes substituted for epidemiological evidence and the media going with these easy stories," says Dr. Craig Reinarman of the University of California. "You don't want to mistake the worst case scenarios for the norm but that is what happens and it's true of every drug scare."[2]

IS USE EXPANDING?

The federal government's own numbers show that "Incidence of methamphetamine use generally rose between 1992 and 1998. Since then, there have been no statistically significant changes."[3]

HOW MANY METH USERS ARE THERE?

About 5% of Americans older than 12 have tried the drug. About 0.3% have actually used it in the last month, versus 0.1% for heroin and 1.0% for cocaine.[4]

CAN METH BE TREATED SUCCESSFULLY?

Research shows successful treatment requires a significant commitment of time and resources as well as patience.[5,6,7]

HOW BIG IS THE "HOME COOKING" PROBLEM?

Illegal activity is tough to measure but some officials estimate that about 20% of domestic meth consumption comes from the small-scale domestic labs using cold medications and other household materials.[8]

HOW EFFECTIVE ARE RESTRICTIONS ON "HOME COOKING" CHEMICALS?

Since Oklahoma restricted the sale of cold and allergy medicines officials report a 90% drop in meth lab seizures. Unfortunately the Mexican cartels immediately filled the gap. Seizures of a purer, smokeable form of methamphetamine known as "ice" are up 500%.[9]

Policy Should Reflect Facts, Not Hype!

COMMON SENSE FOR DRUG POLICY
H. Michael Gray, Chair; Robert E. Field, Co-Chair
www.CSDP.org, www.DrugWarFacts.org, www.DrugWarDistortions.org

1. Newsweek, Aug. 8, 2005. 2. "The Methamphetamine Epidemic – Less Than Meets The Eye," Drug War Chronicle, Aug. 5, 2005. 3. Results from the 2003 National Survey on Drug Use and Health, SAMHSA (2004). 4. Ibid. 5. Rawson, Richard A., et al., "A multi-site comparison of psychological approaches for the treatment of methamphetamine dependence," Addiction, No. 99, pp. 708-717. 6."The Matrix Model of Outpatient Stimulant Abuse Treatment: History and Description," Obert, Jeanne L., et al., Journal of Psychoactive Drugs, April-June 2000. 7. Methamphetamine Treatment Project at http://www.methamphetamine.org/ . 8. Commissioner Michael Campion, Minnesota Department of Public Safety, US House Subcommittee on Criminal Justice, Drug Policy & Human Resources, June 27, 2005. 9. "Stopping Meth Makers Hasn't Stopped Oklahoma's Meth Problems," AP July 28, 2005.

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controversial home-school leader Michael Farris). When she finally did run such ads, it was too late, because voters had gotten to know Allen, and to know Allen is to like him, or at least not be scared of him. He called for "honest change" after twelve years of Democratic rule and found a powerful theme in proposing the abolition of parole. He won with 58 percent of the vote, the biggest margin for any gubernatorial candidate since 1961.

The 42-year-old Allen relished his "insurgency," telling the assembled political establishment of Virginia at his inauguration in January 1994 that "Virginia's government [is] for Virginians—not for stolid, status quo, monarchical elitists. It was a victory for the people who own Virginia's government." His four-year term as governor—Virginia bars consecutive terms—would be a textbook example of how to build a mandate for change and deliver on it, ranking Allen among those other great conservative state-level reformers, John Engler, Bill Owens, and Jeb Bush.

He kept a "Promise Book" to track the progress of his campaign pledges. He knew he could stampede the Democratic legislature on abolishing parole and did. Virginia's crime rate dropped faster than the national rate. He lost a fight over a $2.1 billion tax cut, something he hadn't campaigned on, but pushed through his welfare-reform plan. Allen vetoed a weakened Democratic version—one of 99 vetoes. "The legislature gave me a baseball bat," he says proudly (and he has kept that bat to this day). Democrats capitulated and accepted all of Allen's key requirements, giving Virginia reform prior to the federal version. The state's welfare rolls declined by half.

At the midpoint in his term, Allen ran at the Democrats hard in the legislative elections, attempting a historic GOP takeover. He fell short, but the legislature would go Republican in a few years. Allen got his education plan for testing and standards through the legislature, working the complex issue in a bipartisan way. Student achievement improved. He also used a more consensus-based approach to reform the juvenile-justice system. He continued to score successes in economic development, an area in which he had pushed changes. After vetoing a watered-down version of a parental-notification bill on abortion (it allowed notification of relatives other than parents), he eventually got the stricter version he preferred.

Leaving office, he could boast of the "Virginia Renaissance." He had reformed the justice system, welfare, education, and economic development. "In the context of Virginia governors and maybe governors around the country, any one of his four agenda items would have been a major accomplishment," says Frank Atkinson, Allen's former policy director. He had shown flexibility in pursuing his goals—or, in Allen's own terms, shown that he knew there were two ways to break horses, the tough Western way, or the gentler Eastern way, but what ultimately mattered was that the horse got broken. He left office with a 69 percent approval rating.

TO WASHINGTON

After a couple of years at a law firm, he ran against incumbent senator Chuck Robb, partly on the strength of his gubernatorial record. He beat him with 52 percent of the vote. An executive by temperament, Allen seems a caged tiger in the Senate. He says as governor he told people not to focus on personalities or process, but in the Senate, "they worship process." "As governor," he says, "I made more decisions in the morning than I make in the Senate in a week." He continues: "Decisions are action and I like action. I hate just treading water and standing still. Someone asked me what I considered to be the most overrated virtue, and I realized later this is not a true virtue, but patience. That's the most overrated."

His Senate career hasn't been bereft of action. His signature issue has been opposing taxes on the Internet. He opposed them as governor, making him a lonely man among his fellow governors, who were hungry for the revenue. He has been stalwart in keeping the Internet tax-free. It fits what have been his themes as senator, technology and competitiveness. It's an interest he acquired as governor, as Northern Virginia became a high-tech haven, and aides say he likes to have off-beat tech stories included in his daily political clips.

His biggest success was his work building the Republican majority as chairman of the Senate campaign committee for the 2004 cycle. He did an excellent job recruiting candidates, and proved a good fundraiser. Republicans picked up four seats, and Allen raised his national profile.

If Giuliani and McCain are in a competition for the moderate slot in the race, Allen and Mitt Romney seem the top contenders for the conservative spot.

It's hard to see Allen mellowing in the Senate into an elder statesman. "I would not be surprised if he left the Senate," says one former Senate staffer, "because I don't think he likes it very much."

Becoming president would obviously be one way to leave. He has to win reelection next year, and it doesn't seem he will face a stiff challenge now that the popular Virginia governor Mark Warner has decided not to run against him. His team is conscious of not looking too far ahead, even as he accepts invitations to speak in Iowa and New Hampshire. No one I talked to for this story had any doubt that he will run. His family seems ideally suited for it. His beautiful wife Susan is a proven political asset and his three children are old enough for it not to be an intolerable strain. And when is a race going to be so wide open again?

If Giuliani and McCain are in a competition for the moderate slot in the race, Allen and Massachusetts governor Mitt Romney seem the top contenders for the conservative spot. Allen, a former conservative governor from a conservative state, probably has the early advantage. "He is right now best positioned in the sweet spot of Republican politics," is how Grover Norquist puts it. "He is on good terms with every piece of the coalition."

A presidential run will put unprecedented stress on Allen, as it does on any candidate. The charge will surely surface that he's a phony. How did he become such a cowboy growing up outside of

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Chicago, then in Palos Verdes, Calif.? Allen brushes the question off: "I don't know. I'm just the way I am. I don't worry about it."

COUNTRY BOY

It seems he was always drawn to that particular slice of American life. He acquired his love of auto racing when his dad was a coach with the Chicago Bears and their training camp "was in Rensselaer, Indiana, and there was nothing to do there. They had a dirt track and we'd go and just have great fun." He picked up chewing tobacco from players and got boots from the companies that would send them for free to the teams. His younger sister Jennifer, who wrote a wickedly funny memoir about growing up called *Fifth Quarter*, reports that by high school *Johnny Cash, Live from Folsom Prison* was his favorite album. Allen worked summers at a Nevada ranch. By the time he was in law school and had fallen in love with Virginia, he was lost to urban life forever.

Allen's persona has always helped him politically, as he has seemed more down-to-earth, more real, more vivid than his opponents, but in an '08 race he might seem too similar to Bush at a time when even Republicans might be suffering, after eight years, from Bush fatigue. There is the same sports background, good-ol'-boy persona, seeming lack of reflectiveness. His posture vis-à-vis Bush will, in general, be a puzzle for Allen.

After the Bush years, GOP Washington—fat, happy, unprincipled—could use a good populist scouring. Allen would ordinarily be just the man to deliver it. But he's part of Washington, making his favored role of a reformist outsider more difficult to play. "He *hates* being the incumbent," says an Allen observer. "And he hasn't done anything in the Senate that is anti-establishment."

An Allen candidacy might also test whether an old-fashioned limited-government conservatism is still saleable. In an age of "compassionate conservatism," he bristles with a not very touchy-feely hostility to the nanny state. He opposes mandatory seatbelt laws: "Law enforcement has better things to worry about than somebody's lap while they're driving down the road." He raised the speed limit in Virginia, and would have repealed the motorcycle-helmet law if he could have. He battled with the legislature when it wanted to mandate that people riding in the back of pickup trucks wear seatbelts. He vetoed it, but the law eventually passed under his Republican successor. "It's absurd to have seatbelts in the back of a pickup truck," he says. "I can't even imagine what it would look like."

There is a Goldwater, live-and-let-live streak to his Republicanism. "It's their life," he says of people, "and so long as they're not harming someone else, let them make those decisions. I probably shouldn't get into it, but the lottery: Let the people of Virginia decide if they want a lottery or not, or horse racing. Would I waste money on a lottery ticket? Never. In fact, I try to teach my kids, 'All right, pick some numbers here, kids,' as a ping-pong ball comes out, and then of course it's not the numbers they pick: 'There you are—you're winners, kids. You just saved a dollar.' But it's voluntary, and I don't think it harms people."

This libertarian sensibility leads some to believe that he doesn't have a passion for social issues. In the 1993 gubernatorial race he refused "to be labeled pro-life or pro-choice," and said he would, as a theoretical matter, support his daughter's decision to get an abortion. But he has never voted the wrong way on abortion or other social hot buttons, except for opposing the so-called gag rule when he was in Congress during the first Bush administration. Allen is a Presbyterian, but private about his faith, which will be an obstacle to bonding with the Christian Right the way Bush did. In one interview he makes a brief reference to praying for help in making the right decisions, but quickly adds, "I really don't want to get into this issue."

If the past is any guide, Allen will be underestimated. People miss how sharp he is—a former aide says he has a near-photographic memory, recalling things like "a note he wrote on a copy of the bill he got when he was in the House of Delegates in 1986"—and how tough. He doesn't scare easy, or at all. "I've never seen anything shake him," says former aide Chris LaCivita. "I'm not blowing smoke at you—I mean *nothing*."

"If you get in his way, watch out," says one Allen observer. Of his potential presidential competitors, he says, "They don't know what's coming." "He's actually very tough and some would say mean," he continues. "He'll use anything. At the end of the day, you either win or you lose. He wants to be in the winner's circle, period. He realizes in the end all the whining about how you ran a race goes away."

> In an age of 'compassionate conservatism,' he bristles with a not very touchy-feely hostility to the nanny state.

FEELING ALIVE

Allen grew up in one of the most hyper-masculine, competitive households in America. Coach Allen wanted to win every day—"The future is now," he famously said—and loved players who performed above their ability, in a victory of sheer will above the physical. Coach Allen's creed was win at all costs, and suffer and inflict pain to do it: "Every time I lose, I die a little"; "Hit hard and good things happen"; "Show me a person without goals and I'll show you someone who's *dead*"; "Only by *bleeding* can a man ever feel alive."

His son's childhood proving ground was the front yard and its roiling, bone-crushing games of rule-less football, with the players suffering bloody noses and vomiting with pain. Jennifer Allen writes that her brother George once declared that "he saw dentistry as a perfect profession—getting paid to make people suffer." As governor in 1994, he exhorted the Republican faithful to take the Democrats and metaphorically "knock their soft teeth down their whining throats"—a statement he now says he regrets, but captures the make-them-bleed side of Allen.

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In a way it was an exciting childhood, going to training camp, as Jennifer Allen describes it, and making runs to the liquor stores for players bound by Coach Allen's strict curfew. But it was also difficult, with an often-absent, intensely competitive father. She describes a scene after one devastating playoff loss, when Coach Allen is in a black mood at the dinner table. He has a dispute with his son Gregory: "Dad picked up a dinner plate and George stood up. It was the first time I had seen anyone take a stand against Dad. George said, 'If you're going to hit him, you'll have to hit me first.'"

For all his bonhomie, there is something remote about Allen, just as there was with Reagan. Some who know him feel he can have more of a personal connection with a stranger than with them. Supporters are prone to say about Allen, "What you see is what you get." True, in a way. But with any serious politician who is driven enough to run for president you usually also get what you don't see. Their drive is the product of a deep-down hunger inaccessible to anyone but themselves and one or two of their closest confidants. Allen has this hunger, or he might still be living in a cabin, working as a lawyer in Charlottesville.

There is no mistaking, at least, his fondness for victory on Sunday afternoons. At the Jets–Bucs game, Allen is all manic intensity. He is happy to talk to people during UVa football games. But a Bucs game, with Allen family skin in the game, is different—it's real life. I can accompany him to the game, basically on the condition that I not talk to him, at least not about anything distracting.

At the start of the game we're on the sideline, and he paces and cranes his neck, angling to get the best view. "We'll stay here if the start of the game goes well—not that I'm superstitious," he says with a smile. The Bucs go three-and-out on their first possession. We start to walk toward the tunnel to leave the field. The Jets fumble the punt, and the Bucs recover. We stop practically mid-stride at the back of the Jets end zone right in front of the tunnel. "We'll stay right here for a while," he says—"not that I'm superstitious."

Eventually, we make it to a luxury box. He stands, throwing his hands in the air or stomping when the Bucs falter. He has plenty of pungent comments and critiques of players, always followed by "please don't repeat that." He eventually secures what seems a lucky seat, but the Bucs still fall 14–12. He stands up, looking stricken.

Everyone leaves the suite with its multiple TVs that can tune in any game in the country, but Allen stays. He is free until he has to leave at 6 P.M. for a fundraiser in Manhattan. "We can watch the games here," he says eagerly, ready to settle down for the round of 4 P.M. games. But stadium staff kicks him out. Nearly out of the stadium, he walks into a lobby area with a TV. "Oh, we can watch the games here," he says eagerly. He stands to watch some of the Cowboys–Eagles game.

He answers my questions about his favorite games as he watches. The L.A. Rams beating the Packers in 1967 with a dramatic, last-minute blocked punt. The Redskins beating the Cowboys on New Year's Eve to make the Super Bowl in 1972. He talks about how his dad, a major public figure, was almost a kind of politician himself. "My father liked politics," he recalls. "He loved the competition of it." So does his son. Rivals had best have their heads on a swivel. **NR**

■ **PERSONALITIES**

Michael Moore, Role Model

The lefty propagandist is almost as hypocritical as he is inane

PETER SCHWEIZER

MICHAEL MOORE is a one-man left-wing industry, churning out books, films, and speeches at an astonishing rate. Iraq, evil corporations, and racism all figure prominently in his message. But he is selling more than a few policy ideas. In fact, he advances an entire ethic: Reject capitalism, stay away from corporations, and thereby prove that you are neither racist nor an exploiter of the poor. Moore piously insists that we all measure ourselves by his yardstick. But what happens when we put that yardstick next to him?

One constant theme in Moore's books and films is that racism is rampant in America. He is quick to pull the trigger on those he thinks are insufficiently "inclusive." In *Bowling for Columbine*, he says that white Americans buy guns because of an irrational fear of black people—or, more precisely, because they hate integration, mixed relationships, and minorities in general. Supposedly, they also refuse to discuss racism and discrimination—which is why Moore, as America's racial conscience, must contrive an endless series of attention-getting stunts to dramatize these issues. In one episode of his television program *TV Nation*, for example, Moore had a reporter go to the beaches of largely white Greenwich, Conn., and bring along some black friends. (Curiously, they were not lynched.)

Moore relentlessly attacks those who fail to meet his standards of racial fairness and equality. American journalists—only 5 percent of whom are black—are one target. "At work," Moore proclaims, "we whites still get the plum jobs, double the pay, and a seat in the front of the bus to happiness and success." Hollywood is another favorite target, for not having enough blacks in senior positions. "I now play a game with myself," he writes in *Stupid White Men*, "trying to clock how long it will be before I spot a black man or woman who isn't wearing a uniform or sitting at a receptionist's desk. . . . During my last three trips to Los Angeles the clock never stopped: the black head count was zero."

In 1998 Moore proposed what he called a "very strong affirmative action policy" involving mandatory quotas, and in *Stupid White Men* he encourages minorities to contact him about jobs on his projects. Pointing his finger at the rest of us,

Mr. Schweizer, a research fellow at the Hoover Institution, is the author of the just-released *Do As I Say (Not As I Do): Profiles in Liberal Hypocrisy* (Doubleday), from which this article is adapted.

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he sermonizes: "If you're white and you really want to help change things why not start with yourself?" I decided to find out how well Moore has followed his own advice. How large is the "black head count" in his films?

First I checked the credits of his latest film, *Fahrenheit 9/11*, and researched the backgrounds of its crew members. Of *Fahrenheit*'s senior crew—fourteen producers, three editors, a production manager, and a production coordinator—all 19 were white. So were all three cameramen and the two composers of original music.

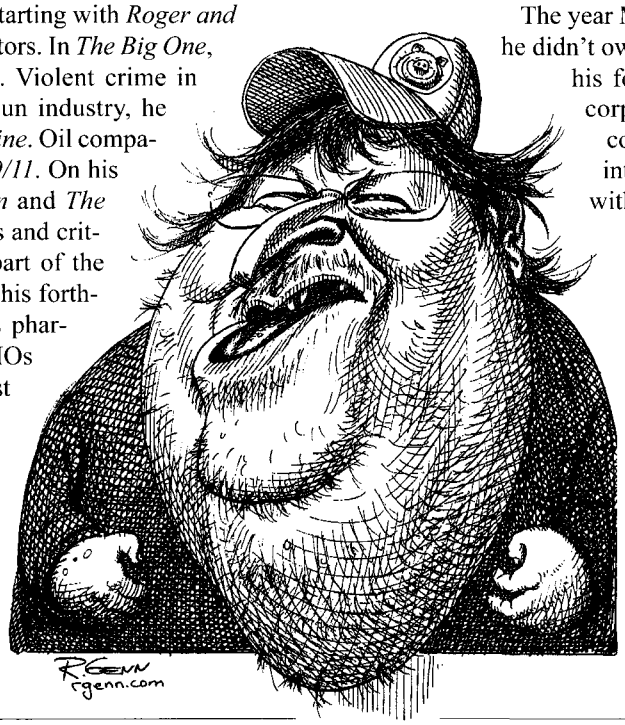
A Moore fan might suppose that this is some sort of anomaly. In fact, of the 134 producers, editors, cinematographers, composers, and production coordinators Moore has hired for his major television and film projects, only three were black. (He did hire one white producer who majored in African-American Studies. Perhaps that counts.) For those who care to keep track, Moore comes in well below the 5 percent figure in journalism that troubles him so.

When not denouncing Americans' failure to hire more blacks, Moore points an accusatory finger at "white flight" and de facto segregation as evidence of our society's racism. Americans might be "magnanimous enough to say, 'Sure you can even live here in our neighborhood; your kids can go to our kids' school. Why the hell not? We were just leaving anyway,'" he writes in *Stupid White Men*. Americans "gave black America a pat on the back—and then ran like the devil to the suburbs." (He neglects to mention that middle-class blacks have done precisely the same thing.)

Moore wrote those words from the comfort of his beautiful home in Central Lake, Mich.—a community of some 2,300 people that, according to the 2000 census, does not have a single black resident.

LIVIN' THE LIFE

Like his intellectual godfather Noam Chomsky, Moore finds few things more evil than American corporations. He has spent most of his life trashing them, starting with *Roger and Me*, a skewering of General Motors. In *The Big One*, he took on Hershey and Nike. Violent crime in America is a product of the gun industry, he claimed in *Bowling for Columbine*. Oil companies loom large in *Fahrenheit 9/11*. On his television programs *TV Nation* and *The Awful Truth*, he attacked HMOs and criticized defense contractors as part of the military-industrial complex. In his forthcoming film *Sicko*, he accuses pharmaceutical companies and HMOs of letting Americans die to boost their profits. "We need protection from our own multimillionaire corporate terrorists, the ones who rip off our old-age pensions, destroy the environment, deplete irreplaceable fossil fuels in the name of profit, deny us our right to universal health care, take peoples' jobs away whenever the mood hits them," Moore warns in *Dude, Where's My Country?* Halliburton is particularly vile, run as it is by a bunch of "thugs." Moore once told an audience in Great Britain, "I would just like to make a modest proposal: From now on, for every Brit or American kid that's killed in this war, I would like Halliburton to slay one mid-level executive."



ROMAN GENN

Because corporations are so evil, Moore would have us maintain our purity by keeping out of the stock market. Making money in the stock market means getting "rich by throwing people out of work, exploiting children and the poor in other countries," he writes in *Stupid White Men*. "Ah, money. The sweet stench of success. A couple of years ago I was talking to a guy in a bar who happened to be a stockbroker. He asked me about my 'investments.' I told him I didn't have any, that I don't own a single share of stock. He was stunned. 'You mean you don't have a portfolio where you keep your money?' 'I don't think it's a good idea to keep your money in portfolios,' I replied, 'or in a briefcase, or even under the futon. I save what little I can in a place called a 'bank,' where I have what the old-timers call a 'savings account.'" Moore repeated this claim in a 1997 letter to the online magazine *Salon*, saying, "I don't own any stock." His advice to other Americans is to stay out of the market. "It's Vegas," he told Brian Lamb on C-SPAN's *Booknotes*. "That's the rich man's game."

Although Moore publicly claims that he doesn't invest in the stock market, he privately tells the IRS something completely different. Moore and his wife, Kathleen Glynn, have a private foundation that they established shortly after he started making serious money from *Roger and Me*. They donate funds to the foundation tax free, decide how the funds are invested, and donate profits to any cause they see fit. Moore and his wife have complete control over the foundation's assets; there is no outside manager or trustee. The foundation's registered address is their home in Michigan, and Michael Moore signs the IRS forms himself.

The year Moore claimed in *Stupid White Men* that he didn't own any stock, he reported to the IRS that his foundation held more than $280,000 in corporate stock and close to $100,000 in corporate bonds. The IRS forms should be interesting reading for anyone acquainted with Moore's documentaries. Over the past five years, Moore's portfolio included such evil pharmaceutical and medical companies as Pfizer, Merck, Genzyme, Elan, Eli Lilly, BD, and Boston Scientific. "Being screwed by your HMO and ill served by pharmaceutical companies is a shared American experience," he recently told the *Los Angeles Times*. "The system, inferior to that of much poorer nations, benefits the few at the expense of the many." Count Moore as one of the few.

Moore has also invested in energy giants like Noble Energy,

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Schlumberger, Williams Companies, Transocean Sedco Forex, and Anadarko, all firms that "deplete irreplaceable fossil fuels in the name of profit," as Moore puts it in *Dude, Where's My Country?*

Moore is loud in his support of labor unions and has attacked Nike for hiring "underpaid" Third World workers, but it's striking how few of the companies in which he has invested have unions themselves. Most of them are high-tech firms that outsource production to China, or major oil conglomerates that do business in the developing world. I couldn't find a single investment that involved a heavily unionized company.

Perhaps the ultimate irony is that Moore has owned shares in that symbol of evil incarnate, Halliburton—an investment on which he made a 15 percent profit, according to IRS filings.

THE PHILANTHROPIST

Moore also misrepresents the work his foundation does. In his *Booknotes* interview, he said, "We have a foundation that we've set up, where we help out a lot of first-time filmmakers. We also fund a lot of things in the Flint area and a lot of social-action groups and things like that." He also told *The New Yorker* that his foundation funds "first-time filmmakers, battered women's shelters, and soup kitchens, among other things."

Once again, his filings with the IRS tell a different story. Yes, there were a few modest grants to programs helping the poor—but nothing on the scale he suggests. In fact, Moore usually donates just enough to maintain his foundation's charitable status. A 2002 estimate put Moore's net worth in the eight figures, yet his foundation gave away a meager $36,000 that year. In 2000, he gave away only $22,000.

Moore also has a knack for giving money to friends who do favors for him. In 2000, $4,500 went to that most proletarian of organizations, the Film Society of Lincoln Center in New York, and another $1,000 went to the Ann Arbor Film Festival—both of which later held lavish events promoting *Bowling for Columbine.* The next year he gave $2,500 to Pamela Yates, who was a producer for his NBC program *TV Nation*; he also made a grant to his friend Jeff Gibbs, who provided the music for *Bowling for Columbine* and helped Moore write some of his books. Moore has given money to the New York Video Festival, which held events promoting *TV Nation.* And in 2002, $25,000 went to the American Library Association, whose members Moore credits with getting HarperCollins to reconsider its decision to cancel his anti-Bush screed *Stupid White Men* after 9/11.

That someone hires few black employees, or invests in corporations, or fails to donate large amounts of his income to charity is not in itself a reason to condemn him. Michael Moore is simply wrong when he claims that American society is characterized by pervasive discrimination or that corporations are innately evil. Yet Moore's staggering hypocrisy makes it difficult to think that he even believes what he is saying. Publicly, Moore styles himself a populist crusader who champions the causes of workers, women, minorities, the environment—in short, all of capitalism's supposed discontents. Privately, Moore embodies his own caricature of capitalism. In the words of Douglas Urbanski, his former manager: "He is more money-obsessed than anyone I have known. And that's saying a lot." **NR**

■ **SCIENCE**

The Specter of Difference

What science is uncovering, we will have to come to grips with

JOHN DERBYSHIRE

It is a longstanding cliché that human knowledge of the universe advances by a series of *dethronements*. There was a time when men thought that the whole world was alive with spirits whose main purpose and pleasure was to watch us. Great bonfires were lit to stir the sun from his midwinter torpor; kings were ritually slain and new kings proclaimed, so that the crops thus encouraged might rise from the ground. It took several thousand years for mankind to understand that the sun is not even aware of our existence, and that crops grow well or badly according to the weather, the soil, and the farmer's skill, not in response to acts of ritual sacrifice.

Even when those truths had sunk in, we still assumed that our familiar surroundings were at the center of things, with the heavenly bodies revolving around them. Then, in a new series of dethronements, from the 1530s to the 1930s, we learned that first the earth, then the sun, and then even the great galaxy itself, were humdrum objects in a universe populated by billions just like them.

We consoled ourselves with the thought that, whatever indignities we might suffer at the hands of astronomers, humanity is still a unique creation—the beauty of the world, the paragon of animals, as Hamlet said (though sardonically). However, as the 19th century advanced, and geologists and biologists began to get to grips with the immense age of the earth, and to notice the odd, suggestive similarities between living species, and the way living creatures occupy and are sustained by their environments, the line between humanity and the rest of nature began to blur a little.

At this point, however, the dethronement process was getting personal, and our resistance to it stiffened. It is, as Sherlock Holmes said, really nothing to us whether the earth goes around the sun or the sun around the earth; but to suggest that we, our precious selves, are no more than a very clever kind of monkey, is a dethronement too far for most of us. Where is the monkey that can sail a boat, write a poem, prove a theorem, pass a law, or found a city? Above all, where is the monkey that is *self-aware*, that can ponder his own actions and reflect on his own condition?

This resistance to the dethronement of humanity has been getting harder to maintain these past fifty years, as our techniques for observing life processes have advanced. We can now follow human ontogeny—the beginning and development of a human life—in terrific detail. It does not differ in any important way from the equivalent process for other higher animals. Similarly,

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every month we learn more about the brain, and about how it absorbs information and instructs the body to act. Nothing that we uncover lies outside the scope of ordinary biology, of cells responding to chemical events in neighboring cells, according to principles long understood. So far as we can observe, the brain is just an organ, with a job to do, like other organs. It works by chemistry, not magic. It seems to be as much a part of nature as a kidney, a gill, or a leaf, and operates by nature's rules.

Most threatening of all to what is left of our self-esteem, we are beginning to understand the human genome, the assemblage of 25,000 or so genes that "code up" the human organism, each gene a string of thousands, or tens of thousands, of basic building-block molecules. Other living things have genomes, too, of course, and the living creatures that most resemble us have genomes most like ours.

Of all living creatures, the one that resembles us most closely is the chimpanzee. A good approach to finding out what makes us humans so darn special would therefore be to get complete maps of the human and chimp genomes, and compare the two. Somewhere in the differences lies the secret of humanness—the thing that makes us more than just another great ape.

This work of comparison has now begun in earnest. Mapping of the human genome was completed in 2003. The chimp genome was published earlier this year. (That is, a database of all the components of all the genes of a particular chimp—an adult male named Clint—was made available to researchers.) Chimps and humans diverged from a common ancestor some time between 5 and 8 million years ago. Since that divergence—since the point when proto-humans could produce offspring with other proto-humans, but not with proto-chimps—our genomes have developed differences. The actual number of differences is around 40 million at the building-block level. Since there are 3 billion building blocks in our, or a chimp's, genome, the overall difference is about 1.3 percent. Naturally it is that 1.3 percent, not the other 98.7 percent, that is most compelling to researchers. In there somewhere is the secret of our humanness. (And of the chimp's chimpness . . . but that, with no slight intended to our prognathous pals, is of considerably less interest.)

But now things get nasty—politically, socially nasty. Forty million changes to the genome in 5 to 8 million years means that overall there has been one "evolutionary event" per couple of months since chimps and people parted company. Evolutionary change does not, in fact, work quite like that; but it is nonetheless the case that evolutionary events—changes to genes, as a result of which those changed genes give the host organism some survival advantage, so that the changed genes spread through the breeding population in succeeding generations—have been occurring all through that 5-to-8-million-year stretch, *right down to historic times*.

Why is that bad news? Because for the past 1 percent of that span—60,000 years or so, or, to put it another way, half a million or so building-block changes—modern humans have been scattered around the land surface of our planet in groups that have occupied widely different environmental niches, and haven't mixed much with each other. That's why your average Eskimo doesn't look much like your average Australian aborigine. Yes, we have bumped up against the R-word—race. This is the bitter paradox of human genetic studies. In seeking to understand what defines us, we cannot help learning about what divides us. Coming to terms with this paradox will not be easy. The results now emerging from the labs are prompting the first murmurs of a debate that will become loud and rancorous over the next few years.

BOMBSHELL PAPERS

Two papers published in the Sept. 9, 2005, issue of *Science* illustrate my point. The actual titles of the papers are "*Microcephalin*, a Gene Regulating Brain Size, Continues to Evolve Adaptively in Humans," and "Ongoing Adaptive Evolution of *ASPM*, a Brain Size Determinant in *Homo sapiens*." Since "ASPM" stands for "Abnormal SPindle-like Microcephaly-associated," both these genes have something to do with microcephaly, a congenital infant condition in which the brain fails to develop properly. More precisely, it is *defects* of these genes that lead to microcephaly. Genes, like celebrities, draw attention to themselves by misbehaving, and it is often from the consequences of their misbehavior that they get their names. The point of these two genes themselves, in their healthy functioning, is to *regulate* brain size, or brain organization, in ways not yet completely understood.

> In seeking to understand what defines us, we cannot help learning about what divides us.

The researchers published in *Science* are studying particular variants—"alleles"—of these genes. Of that first gene they say:

> We show that one genetic variant of *Microcephalin* in modern humans, which arose 37,000 years ago, increased in frequency too rapidly to be compatible with neutral drift. This indicates that it has spread under strong positive selection, although the exact nature of the selection is unknown.

Of the second, they tell us that it

> arose merely about 5800 years ago and has since swept to high frequency under strong positive selection. These findings, especially the remarkably young age of the positively selected variant, suggest that the human brain is still undergoing rapid adaptive evolution.

The implication of "strong positive selection" is that these new, variant forms of the genes gave great survival advantages to the humans that bore them. As the researchers say, the exact nature of those advantages is not yet known.

The time spans there—deduced from general, quite well-established principles governing rates of genetic change—are

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important. Modern humans apparently emerged from Africa around 50,000 to 100,000 years ago, spread over the world, and settled down as mostly inbreeding communities in a variety of environments from arctic tundra to tropical rain forest. Gene variants that showed up after that date would not necessarily spread much beyond their region of origin, and might not spread at all if they conferred survival advantage in one environment but not in another. And in fact, the present-day distribution of these alleles is far from uniform, as the papers in *Science* show. That second variant is, for instance, almost unknown among Native Americans, which is what you would expect, since the land bridge from Asia to the Americas across the Bering Strait ceased to be passable about 10,000 years ago as the seas rose with the end of the last Ice Age, before the gene variant appeared in Eurasia. More mysteriously, both these variants seem to be scarce in sub-Saharan Africa.

But . . . but . . . but . . . haven't talking heads on TV science programs and in the pages of respectable newspapers been telling us for years that there are *absolutely no significant genetic differences whatever* between human groups defined by common ancestry? Yes; but you see, they have been lying through their teeth. (A geneticist I spoke to when preparing this article put it more diplomatically: "Statements like that are politically driven.") To be fair, those talking heads have been lying with the best of intentions. Ours is a nation founded on the proposition that all men are created equal. Of course, nobody ever supposed that to mean that we are all equally tall, equally strong, or equally clever; but if different human *groups*, of different common ancestry, have different frequencies of genes influencing things like, for goodness' sake, brain development, then our cherished national dream of a well-mixed and harmonious meritocracy with all groups equally represented in all niches, at all levels, may be unattainable.

Yet to believe that that undesirable thing is *not* so—to believe that all genes show up with the same frequencies in all human common-ancestry groups—you have to believe that, to assure the peace of mind of 21st-century American idealists, evolution came to a screeching halt 50,000 years ago. No scientifically literate person believes that, and the results written up in *Science* last month in any case flatly disprove it, as will the multitude of similar results no doubt soon to follow.

As a political aside, it is worth noticing that Donald Kennedy, the editor-in-chief of *Science*, is a conventional academic liberal, who has put his name to strongly anti-Bush, pro-Kyoto editorials on global warming. It speaks well to the spirit of true collegiality that still survives in science that these papers, whose implications must be so unwelcome to the egalitarian Left, appeared in Kennedy's magazine. In this context, it should also be noted that Nicholas Wade, science writer at the *New York Times*, gave reasonably fair coverage to the two papers.

(And as a further aside, fans of the Intelligent Design movement should note that none of the arguments presented in the *Science* papers goes against anything they believe. Sophisticated IDers do not deny the reality of evolutionary change within species, which is what these papers are talking about. ID denies only that evolution can account for new species, an idea that is not in play here. So far as the human organism over the past 50,000 years is concerned, the egalitarian Left has *much* more serious issues with evolution than the religious Right has. Prior to that date, the anti-Darwinian Right has all the problems, the Left really none. As a simple Darwinian rightist, I myself can glide serenely past all this illogical nitpicking . . .)

DEAL WITH IT

The unhappy thing for the United States is that the problems implicit in results like these are very peculiarly our problems, America's problems. The lead researcher on both those papers is 37-year-old Bruce Lahn, who was born and raised in China. Bruce left that country in 1988, after some unhappy experiences trying to organize democracy protests at his Beijing college. He has now made his peace with the Chinese authorities, and commutes between his chair at the University of Chicago and a well-equipped lab at Sun Yat-sen University in Canton. China is an ethnostate, 92 percent of her people identifying themselves as Han Chinese, and most of the remainder belonging to related East Asian groups. For China, as for other ethnostates like Japan or Finland, these papers in *Science* are curious and interesting insights into recent human evolution, bearing no emotional content at all. For us Americans, they are two fizzing sticks of dynamite. My guess would be that if Bruce continues along this line of research, he will soon be spending a lot more time in China.

While I believe that results like these out of the human sciences should prompt us to begin some hard thinking about our society, and about what we can reasonably expect social policies to accomplish, I don't think that conservatives should fear these results, or strive to deny them. For all the corruption it has suffered from public financing and infection by campus political fads, science is, I shall always believe, a fundamentally conservative profession. Pseudoscience and wishful thinking—they are usually the same thing—have their natural home on the political left, Marx's "scientific socialism" being only the best-known example. True science doesn't care what we believe or what we wish for. It just tells us what *is*, and leaves us to come to terms with it as best we can. Science is a Daddy discipline, not a Mommy discipline.

It is not the case, as foolish people like Richard Dawkins tell us, that science excludes religion. (The research geneticist personally best known to me, another native of China, is a passionate adherent of the Falun Gong sect.) It *is* true, however, that *in his working hours* a scientist owes devotion to only one deity, the one Rudyard Kipling called "the God of Things As They Are." That God is, as Kipling himself was, profoundly conservative in all His works, and conservatives, religious or otherwise, have nothing to fear from Him. To judge from history, in fact, His greatest delight is to make fools—or slaves, or corpses—of pacifists, family-breakers, sexual liberators, dispensers of unconditional welfare, love-the-world purveyors of Uplift, Scientific Socialists, and deniers of unpleasant truths.

Some of the truths now beginning to emerge from the human sciences will strike us as very unpleasant indeed. Some of them will force us to hard thinking about our nation, our ideals, and our traditional boundless optimism towards the potentialities of human beings. We have it on good authority, though, that we shall know the truth, and the truth shall make us free. I believe that if we hold fast to faith in that proposition, and trust science to uncover the truth, neither we nor our country will come to any harm. **NR**

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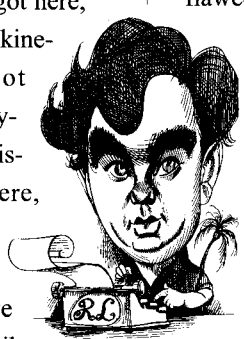
the long view

ROB LONG

The SCOTUS Diaries . . .

From the diary of Justice Ruth Bader Ginsburg:

. . . and let me just say, oy, that meshugge shiksa, she gets me into her chambers, wants to have a "get to know you" lunch, to which I'm thinking, all right, okay, she's a newbie, they gave her a lot of trouble, a lot of tsuris to get here to the bench. But she got here, and it hasn't been too bad, kinea-hora, coulda been a lot worse. Ruthie, I said to myself, make nice to the Christian lady, be a mensch here, we're all just as G-d made us, or whatever, and so I say, sure, Harriet, would love to stop by for a nosh and a kibbitz. She looks at me like I'm tummeling her. What do I get from the Yiddish? Bubkes! So I explain that, yeah, I'd love to have lunch. Gotta remember that some of these goyim don't know from the language. Anyway. We get into the room and she's got some mishegoss all laid out for lunch. Do I know from this stuff? She's kvelling over there. It's Frito Chili Pie, she tells me, a Texas favorite. You take a bag of Fritos, slit it down the side, fill it up with hot chili and top with cheese. Bubbala, I say to her, if I eat this chazerei I'm gonna hear a "messa mashee af deer" from my kishka! Again with the blank look from that one, so I take a tiny bite, and you know, honestly, not bad. Salty, but good salty. So we fress, me and Harriet, like mishpocha, you know? It was nice. Ruthie, I said to myself, you did a mitzvah. We start talking and showing pictures and schmoozing. And then she starts in with the Roe and the Wade and the this and the that, and the meshugge goy, you know, she makes a lot of good points. On the state issue, especially, her reasoning, if I summarize it correctly, seems to turn on a constitutional interpretation that I can't help finding interesting. *In fine*, she contends that the underlying assumption behind *Roe* is flawed in the sense that . . .



From the diary of Justice David Souter:

. . . sorta scared and sorta tingly at the same time. "What is this I'm feeling?" I asked myself. "She's nothing like any of the other ladies you've ever even thought about," I kept repeating to myself over and over and over. So I tried to avoid her. I came in the side door and left early (well, not as early as Thomas), and just basically hid away. But she kept finding me. "Oh there you are!" she'd say in her loud scary Texas voice. "What are you doing here in the library! Are you hiding from me? Are you hiding from Harriet, you big beautiful man!" And she'd throw back her head and laugh and laugh and stroke my trembling hand and I kept thinking *Harriet Harriet I love you you are the one you are the one I've been such a lonely lonely boy* . . .

. . . and in the morning stillness we lay there, quiet. Only the sound of our breathing. It had been raining, I remember, and I could hear it dripping down from the gutters, pooling on the patio outside. This was my private place, I had told Harriet the night before, when we drove up to New Hampshire together. Was. It's now our private place. And then she held me in her arms and gently carried me up the stairs. "The thing about *Roe* . . .," she whispered to me, and I knew I was lost . . .

From the memoirs of Chief Justice John Roberts:

. . . it became, for me, more of a management issue than anything else. Miers had suffered a rather bruising confirmation hearing, and so when she arrived on the Court, there was a sense, from some of the other justices, that here was a "hick from the sticks" (to use Justice Scalia's phrase) and a "political empty suit" (to use Justice Breyer's phrase) and a "scary pretty lady" (to use Justice Souter's phrase), and it was clear to me at the time that we were all going to have a problem moving forward. "Harriet," I said to her one afternoon in my chambers, "I think we may be looking at a difficult first term here." I was astonished by her reaction. "John," she said breezily, "I think I've got it covered." Again, I admonished her that after such a tumultuous confirmation process—the shocking photographs, the bizarre and unexplained behavior of Senator Schumer—maybe it was best to maintain a low profile. She looked at me contemptuously. "John," she said, "does this look like the hairdo of a woman who likes a 'low profile'?" She went to the door, stopped, then turned back to face me. "If I'm supposed to be the swing vote," she growled, "then baby, let's *swing*." At the time, I had no idea what she meant. Later, of course, it all became clear.

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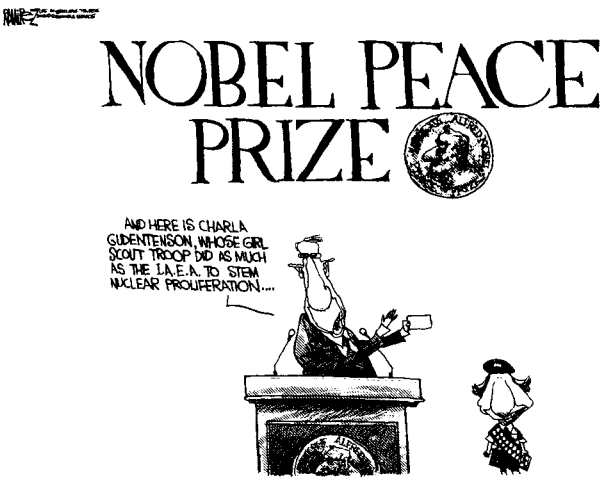
HELP!!!!

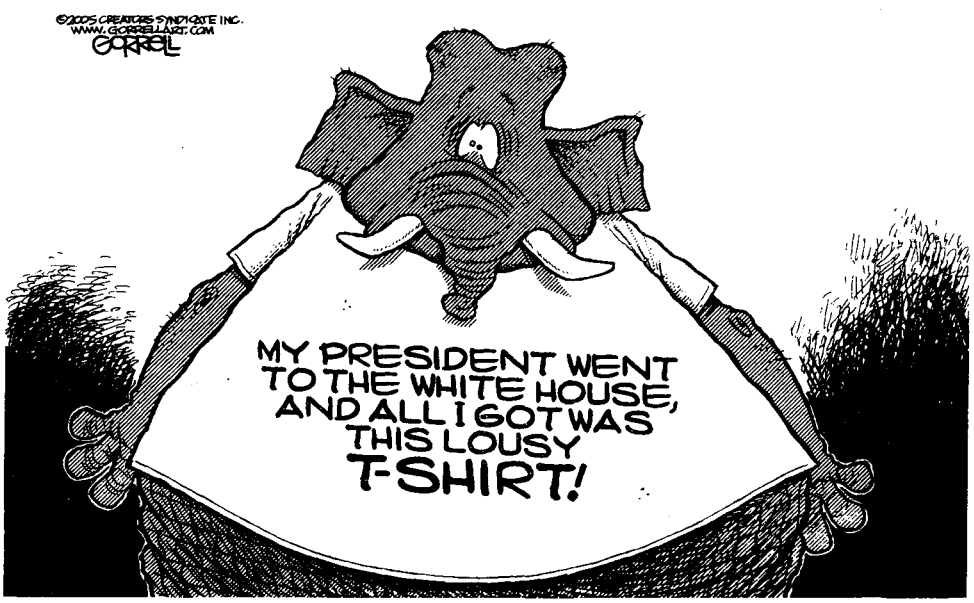
German Welfare

It started with Otto von Bismarck,
Who spread it around for the Volk.
Purportedly, Hillary modeled
Her plan after Otto's—now broke.
Which brings us to Angela Merkel,
Elected to treat the distress;
But Angela's no Margaret Thatcher,
And, face it, the Volk *dig that mess.*

—W. H. von Dreele

"If you think this is bad,
just wait till we get to social Darwinism."


NOBEL PEACE PRIZE
AND HERE IS CHARLA GUDENTENSON, WHOSE GIRL SCOUT TROOP DID AS MUCH AS THE I.A.E.A. TO STEM NUCLEAR PROLIFERATION....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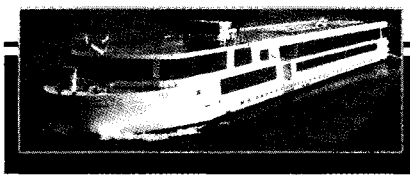

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Thur/May 4	Amsterdam	Arrive morning		Transfer to hotel
Fri/May 5	Amsterdam			Keukenhof/Aalsmeer flower auction tour
Sat/May 6	Amsterdam		6:30pm	Afternoon panel session Evening cocktail reception
Sun/May 7	Düsseldorf	11:00am	(overnight)	Morning panel session City tour/Benrath Palace
Mon/May 8	Düsseldorf		4:30am	
	Cologne	9:00am	10:00pm	City Walk/Cathedral and Brauhaus Tour Late-night Smoker
Tue/May 9	Koblenz	6:00am	2:00pm	Mosel Valley excursion Afternoon panel session Evening cocktail reception
	Rüdesheim	7:30pm	(overnight)	Late-evening wine tasting
Wed/May 10	Rüdesheim		6:00am	
	Mainz	8:30am	12:00 noon	Gutenberg museum and City walking tour
	Gernsheim	2:30pm (drop off)		Heidelberg excursion
	Mannheim	6:00pm	(overnight)	
Thur/May 11	Mannheim		2:00am	Morning panel session
	Strasbourg	2:00pm	(overnight)	City tour Late-night smoker
Fri/May 12	Strasbourg		1:00pm	Alsace/Vosges excursion Afternoon panel session Evening cocktail party
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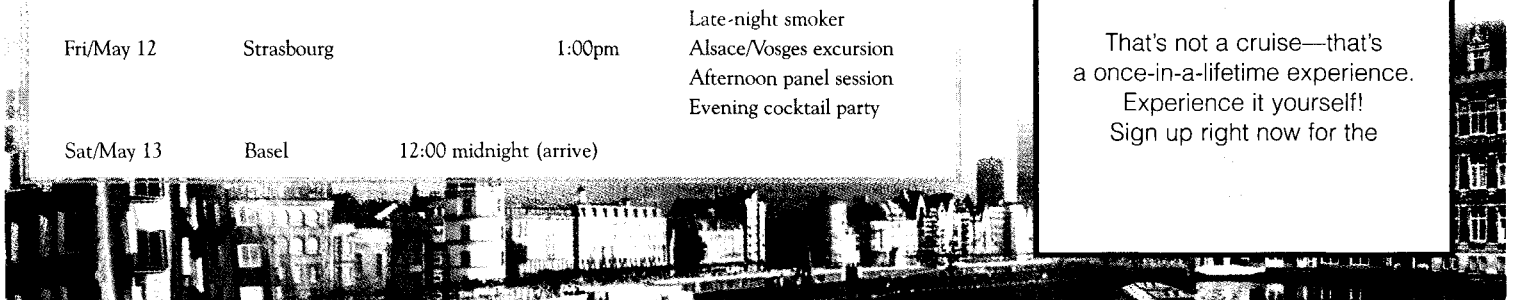

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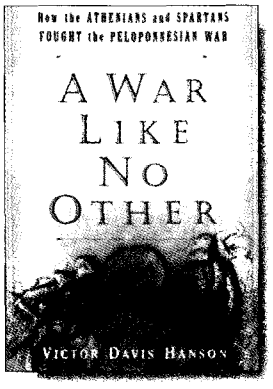
The Greek Way of War



A War Like No Other: How the Athenians and Spartans Fought the Peloponnesian War, by Victor Davis Hanson (Random House, 400 pp., $29.95)

ROGER KIMBALL

DEFINITIVE. Engrossing. A masterpiece. It is difficult to marshal all the requisite superlatives for Victor Davis Hanson's new book on the Peloponnesian war. Hanson takes up the story where Donald Kagan, whose four-volume history of that world-altering conflict also deserves a passel of praise, left off. Kagan provided a sweeping political and strategic overview of the war; Hanson, a classicist, farmer, and military historian, shifts the focus and brings the reader into the guts of battle: Fear, Fire, Disease, Terror, Armor—his very chapter titles limn the grim, tactile realities of war from the inside.

The Athenian general Thucydides fought in the war and he understood that the conflict he later chronicled was "a war like no other." His great history—he rightly denominated it "a possession for all time"—is a monument in the annals of political philosophy and statecraft as well as historical reflection. When he died, in 395 B.C., Thucydides had brought the main part of his story to 411, covering the first 20 years of what was, on and off, a 27-year conflagration. (The Athenian soldier-historian Xenophon would carry the story to the end of the war and beyond.)

By any standard—lives lost, money squandered, property and culture destroyed—the generation-long war between Athens, Sparta, and their proxies was among the most horrific in history. Had the United States suffered a corresponding loss in World War II, its casualties would have numbered 44 million, not 400,000. And it was, Hanson points out, not so much a war in any conventional sense as a collision of ideologies, "the Great Ancient Greek Civil War" that pitted rich, democratic, expansive Athens against the bizarre police state of Sparta, a polity so stunted that it used iron spits for currency lest its populace be corrupted by luxury.

Hanson has two main goals in this book. The first is to bring the reader face-to-face with the particulars of 5th-century Greek warfare. This he does brilliantly. He knows what it felt like to man a Greek warship (pretty bad, especially if you had the misfortune to be consigned to the lowest bank of oars). He knows exactly how a hoplite, a heavily armed infantryman, maneuvered and wielded his weapons. And being a farmer himself, he knows how futile was the Spartan tactic early in the war of ravaging the Attic farmland: "A few years ago I tried to chop down several old walnut trees on my farm. Even when the ax did not break, it sometimes took me hours to fell an individual tree. . . . It was even more difficult to set them afire. Living fruit (like vines) will not easily burn."

Hanson's command of his subject is as impressive as his erudition is lightly worn. He moves fluently from, say, the minutiae of ancient Greek siegecraft or the design and operation of triremes to the larger canvas of military strategy and cultural aspiration. He is as at home with Pindar and Aristophanes as he is with the tactics of military men like the Spartan admiral Lysander—"the unqualified military genius of the entire war." All this makes *A War Like No Other* more a searchlight than a chronicle: the revelation of a culture—of a culture in active self-dissolution—rather than a recitation of a calendar of events.

Hanson's second goal is to assess the significance of the war, both for ancient Greek culture and for our own. Two questions stand out. The first is, How could rich, cosmopolitan Athens have lost to the "garrison state" of Sparta, the North Korea of its day? The second is, What lessons does the war hold for succeeding generations?

The power of Athens lay in its navy and its treasury. Sparta's power came from its unsurpassed army and its martial fanaticism. Pericles, the first citizen of Athens, knew that he could not hope to win in direct land battle with Sparta. So he determined to play a waiting game, gathering the local populace in behind Athens's protective walls when Sparta threatened. His goal was not to win but to survive.

The Spartans could not penetrate the Athenian defenses. But providence could. In 430, a devastating plague swept through the overcrowded city, killing thousands. Pericles himself succumbed to the mysterious ailment in 429. Thucydides believed that the plague (which recurred, with less virulent results, in 426) did more damage to Athens than any other calamity.

But if disease struck a serious blow to Athens, strategic miscalculation and treachery were not far behind. In 415, Athens assembled a huge armada and undertook the ill-fated Sicilian Expedition—a piece of hubristic military folly that ranks with Napoleon's (or Hitler's) invasion of Russia. In one of the most compelling parts of the book, Hanson shows how the vacillating leadership of Nicias—"the one man," Donald Kagan observed, "who was able to turn a mistake into a disaster"—coupled with the Athenians' lack of cavalry led to a complete rout. More than forty thousand Athenians and their allies were killed in the holocaust. Seven thousand were enslaved in the mines. In a ghastly tribute to the cavalrymen who won the battle, the image of a horse was branded on the forehead of every prisoner.

The Sicilian Expedition was probably

Mr. Kimball is co-editor and co-publisher of *The New Criterion*, and publisher of Encounter Books.

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the biggest mistake of the entire war. But possibly even more fatal to Athens was one of its greatest assets—Alcibiades, the rich, handsome, immensely talented, and eminently corruptible soldier and playboy. Educated in part by Pericles, Alcibiades (as readers of Plato's *Symposium* will remember) became an intimate of Socrates. Boundless narcissism combined with extravagant gifts of fortune made Alcibiades a prodigy of ambition. Hanson calls him "Kennedyesque," the *mot juste*. He helped win several important battles for Athens. Then he defected to Sparta and helped lay the groundwork for her eventual victory.

But Sparta would never have won had she not also had the support of Persia—immemorial enemy of the Greeks—which after the Sicilian Expedition subsidized the construction of a Spartan fleet. In the final years of the war, Persia sat back and watched the Greeks tear each other to pieces, thus achieving what Marathon, Salamis, and other battles failed to obtain. The end for Athens came at Aegospotami in 405, when Lysander caught the beached Athenian fleet unawares and destroyed it along with its crews. But was it really the end? In 404, Lysander dismantled Athens's defensive walls to the accompaniment of flute girls. In little more than a decade, however, Athens had rebuilt its walls, its fleet, even to some extent its empire. Something was lost. Athens did not cease to exist, it wasn't even poor; but it was no longer rich, no longer splendid, no longer the repository of civic amplitude and youthful vitality.

Ever since Thucydides took reed to papyrus, the Peloponnesian war has been understood to be a paradigmatic conflict. But the exact nature of the paradigm in question has varied with the age it has served. In recent years, as America has moved to disarm tyrants in the Middle East and terrorists wherever they may turn up, the Peloponnesian war is adduced as an admonition. America is rich, as was Athens; America is powerful, as was Athens; America is (or is said to be) arrogant, as was Athens. Athens lost its empire, the war, and finally its freedom. Does some such fate also await America? Doubtless, there are parallels. "Enemies hated Athens," Hanson notes, "as much for what it was as for what it did." Ditto America. Athens was a city that "often blamed itself more in victory than in defeat, . . . conducting postbellum hearings to assess blame in the midst of a war for its survival." One hears many such voices raised today as America—as all of Western civilization—confronts a new and implacable enemy in the form of Islamofascism. The choice before us is between the dubious pleasures of self-loathing and the astringent satisfactions of duty acknowledged and discharged. Hanson, like Thucydides, teaches us about the tragic nature of war. What makes war tragic is not the horror of war but rather the recognition that, often, only what Hanson calls "resolute action" can bring lasting peace. As the Roman military strategist Vegetius put it, *Si vis pacem, para bellum*: If you want peace, prepare for war. **NR**

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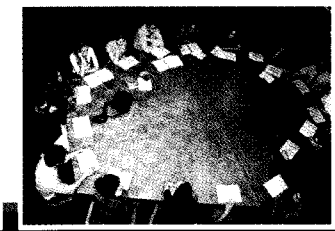
JOHN PAUL II, *FIDES ET RATIO*



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Celebrate WFB's 80th!

As part of the ongoing Golden Anniversary celebration of the magazine that has defiantly stood athwart history and yelled "Stop!" at the prevailing liberalism of American culture, politics, and the academy, the National Review Institute is proud to sponsor a very special event to honor a very special person: William F. Buckley Jr., the founder of NATIONAL REVIEW and the man hailed as the Godfather of Modern Conservatism.

It was a young, brash, and dedicated Bill Buckley who launched his brazen (then weekly!) journal in November 1955, sparking a chain of remarkable events—not the least of which was the Reagan Revolution.

Now, a half century after NATIONAL REVIEW first rolled off the presses, the National Review Institute will honor Bill—editor, columnist, novelist, *Firing Line* host, sailor, and unrivaled public speaker—with a grand 80th-birthday celebratory dinner (featuring entertainment from the Yale Whiffenpoofs, the Harvard Krokodiloes, and the renowned Alex Donner orchestra!) on November 17, 2005, in New York City at the elegant Pierre New York Hotel. The festivities will begin with cocktails at 6 p.m. followed by dinner.

The directors of the Institute cordially invite you to join them—along with the editors of NATIONAL REVIEW and many other distinguished conservative leaders—as they recognize and honor Bill for his many accomplishments and his profound impact on American politics and culture.

This will be a night to remember—a long overdue and richly deserved show of appreciation—that you will not want to miss, as we warmly wish "WFB" a most happy birthday and thank him for *all* he has done for the causes we most cherish. Seating for the NRI celebration of William F. Buckley Jr.'s 80th birthday is limited. To reserve your seat or table, please fill out and return the form below. For more information on this grand affair, please call 1-212-679-7330.

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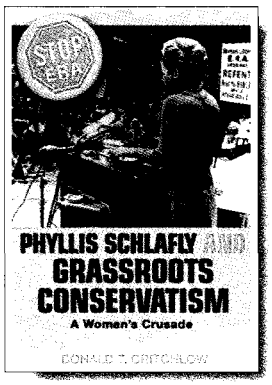
Founding Mother



Phyllis Schlafly and Grassroots Conservatism: A Woman's Crusade, by Donald T. Critchlow (Princeton, 438 pp., $29.95)

KATE O'BEIRNE

DURING a 1973 debate with Phyllis Schlafly, Betty Friedan fumed, "I'd like to burn you at the stake." But Friedan's conservative witch was inflammable, and unflappable. By the time the veteran conservative organizer was leading the successful battle to kill the Equal Rights Amendment, she was immune to the rantings of an angry feminist. For over 20 years, Phyllis Schlafly had been patronized, purged, and pilloried for the causes she championed. The praise she deserves has finally arrived, in this overdue tribute to her half-century of grassroots activism.

Had Schlafly been a figure of the Left, this book extolling her remarkable achievements would join a bookcase of similar flattering portraits acknowledging her as one of the most influential Americans in the second half of the 20th century. But because her influence prevented a destructive feminist agenda from being enshrined in the Constitution, she has had to wait 50 years for this book—the work of a respectful academic who has delved into the archives to tell an important untold story.

Donald T. Critchlow, a history professor at St. Louis University, examines in the book the largely ignored role of activists in the rise of the Right. He notes that the intellectual seeds sown by conservative theorists would have perished on barren soil but for the organizers who popularized and propagated their views. "How," he asks, "had a small movement, consisting of a few conservative intellectuals and grassroots anti-Communist activists in the 1950s, become so powerful as to radically change American politics in ways arguably comparable to Jacksonian democracy in the 1830s or the Republican party in the 1860s?" He analyzes this transformative upheaval in American politics through the political career of a young housewife from Alton, Illinois.

Long before the modern women's movement, Phyllis Stewart was making her own way. She was born in St. Louis in 1924. Her mother, who had graduated from college in 1920 and went to work to help support the family during the Depression, was ambitious for her two daughters. After graduating as valedictorian from a Catholic girls' high school, Phyllis finished Washington University in three years, graduating Phi Beta Kappa while working the night shift at an ordnance plant. She earned an M.A. in political science from Radcliffe in 1945.

Back home in St. Louis—after a brief stint in Washington, D.C., as a researcher for the American Enterprise Association (now Institute)—she worked for a local bank writing speeches for its executives and making a few of her own to women (on investment and estate planning). An early press notice described the "blonde banking expert" as a "forceful speaker." In 1949, this independent young career woman met a Harvard lawyer 15 years her senior and what she described as a "happy intellectual partnership" was born. Fred and Phyllis Schlafly took an extra suitcase of books on their Mexican honeymoon before settling in Illinois.

Local Republican officials urged Fred to run for Congress in 1952. When he demurred, "I am not your guy," one of them asked, "What about Phyllis?" They had found their girl. Critchlow writes that the 28-year-old candidate brought to that race the "moral sensibility, [the] righteousness that did not allow easy compromise over principle, and [the] inner tenacity beneath [her] well-spoken words" that would characterize all of her political crusades. She ran as an "average housewife" and a dedicated anti-Communist in favor of increased defense spending and lower taxes. Although she and Eisenhower both lost in the Democratic district, Phyllis would remain the more public partner in the Schlaflys' collaboration—one that would produce six children and many thousands of grassroots activists.

Within a few years, Phyllis Schlafly was embarked upon her signature effort to transform the Republican party. She provided the rank and file with an alternative to the views of the East Coast GOP establishment. She put together *A Reading List for Americans*, which sold tens of thousands of copies; her recommended reading included Whittaker Chambers's *Witness* and James Burnham's *The Web of Subversion*. She also produced her own articles for newsletters and magazines about the threat of Communism and the dangers of collectivist ideology.

Schlafly provided the rank and file with an alternative to the views of the East Coast GOP establishment.

Critchlow hails Schlafly's "ability to translate conservative ideas to grassroots activists and motivate them to achieve political goals." Indeed, Schlafly tapped into women power long before the modern women's movement got around to it. In her activities with the Daughters of the American Revolution and the Illinois Federation of Republican Women, she made special appeals to women to be involved in the Cold War struggle. She would declare that Communism would be thwarted "if we can find ten patriotic women in each community." And she targeted people of faith as well: The Schlaflys organized the Cardinal Mindszenty Foundation to educate Catholics about the Communist threat. As the designated researcher for the influential group, Phyllis urged ordinary citizens to become "Freedom Fighters in your own sphere of influence."

Her 1964 book, *A Choice Not An Echo*, took on the liberal wing of the Republican party, rallied support to Barry Goldwater,

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and was the bestselling political book of that election year. In the 1960s, she published three books on national security—which sold over 2.5 million copies. She testified before Congress as a critic of arms-control treaties.

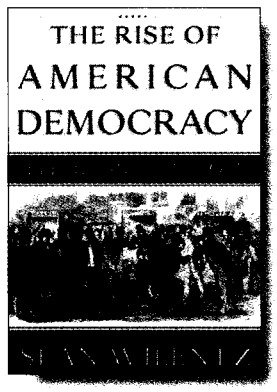
In 1971, Schlafly was prepared to talk about defense policy before a conservative group in Connecticut, but was told that the audience wanted to hear about the Equal Rights Amendment then pending before Congress. She read up on the proposed amendment and decided she opposed it. The STOP ERA movement was born.

Schlafly persuasively argued that women already enjoyed every constitutional right that men had, and portrayed the deceptively simple ERA as a dangerous transfer of legal authority from the states to a distant federal government that would strip women of their legal protections. The ERA had sailed through Congress in 1972 and was enthusiastically ratified by 30 states, only eight shy of the required three-quarters, within a year. It looked as though Schlafly had taken on a losing battle against the Nixon, Ford, and Carter White Houses, a galaxy of Hollywood stars, and the women's magazines. Critchlow recounts the ugly attacks she endured—"Hey, Phyllis, your sheet is showing," announced a *Doonesbury* cartoon character—and her unshakeable good humor. With a deliberately provocative desire to drive the "libbers" nuts, Mrs. Schlafly would begin her speeches on the Equal Rights Amendment by thanking her husband for allowing her to appear.

With her well-reasoned arguments and tireless advocacy, she recruited thousands of women to her cause. They would stop the ERA, evolve into the powerful pro-family movement, and go on to transform the GOP and American politics. ("I am afraid the anti-ERAers will defeat me," said a prescient President Carter during a White House election-strategy meeting.)

The author concludes that "conservatives have arguably brought down 'this thing called liberalism'—as William Buckley demanded in the first issue of NATIONAL REVIEW." Critchlow's detailed history of the forces Phyllis Schlafly was leading—armed with the ammunition Bill Buckley, his editors, and others provided—is a marvelous companion volume to the history of this magazine. **NR**

Telling No Tales



The Rise of American Democracy: Jefferson to Lincoln, by Sean Wilentz (Norton, 1,044 pp., $35)

MICHAEL KNOX BERAN

SEAN WILENTZ is a scourge of sentimentality in American historical writing, a refuter of pieties, both those in the triumphalist vein of David McCullough and those of Rainbow Coalition history, the kind that concentrates on everything *other* than triumphant political figures. How interesting, then, to find Wilentz himself playing the sentimentalist in his new book *The Rise of American Democracy*. *Rise* is written in the conviction that there was once a Golden Age in American historical writing, that it is now, alas, no more, and that Wilentz alone can redeem his craft by showing how political history ought to be written.

Wilentz's golden age began with Arthur Schlesinger's *The Age of Jackson* in 1945. It ended in the 1980s—a convenient dénouement for one seeking a restoration today. There were many giants in those days—Richard Hofstadter and C. Vann Woodward among them—but it is Schlesinger who haunts Wilentz's pages. In *The Age of Jackson*, Schlesinger toppled older schools of interpretation, Wilentz writes, "by placing democracy's origins firmly in

Mr. Beran is the author of *Jefferson's Demons* and *The Last Patrician*, a study of Robert Kennedy.

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the context of the founding generation's ideas about the few and the many, and by seeing democracy's expansion as an outcome of struggles between classes, not sections." In *Rise* Wilentz follows Schlesinger in attempting to explain the "most profound political transformation in modern history," the collapse of the aristocratic assumptions of the early Republic.

The principal emotion underlying both Schlesinger's and Wilentz's histories is antipathy to undemocratic forms of privilege and mastery. But for neither man is the solution Jeffersonian liberalism—limited government, free trade, states' rights. Much as they admire Jefferson for his faith in the people, both Schlesinger and Wilentz regard the Virginia School as naïve in its approach to private enterprise. Both discern in Andrew Jackson's war against the second Bank of the United States the seeds of a more intelligent government role in the economy. "Too rarely have historians appreciated," Wilentz writes, "the [Jacksonian] Democrats' perfect willingness to wield federal power forcefully, over economic issues no less than over [states'-rights issues such as] nullification, when they thought doing so was necessary to protect the democratic republic."

Yet Jackson himself portrayed his attack on the crony capitalism of the Bank (a private institution with exclusive state-sponsored powers) not as an effort to regulate the private sector but as an old-fashioned liberal thrust against "exclusive privileges" granted by the state. Old Hickory acted less like Franklin Roosevelt, with his ambition to administer the national economy, than like Queen Elizabeth I when she abolished royal monopolies. In the "full enjoyment of the gifts of Heaven and the fruits of superior industry, economy, and virtue," Jackson said, "every man is equally entitled to protection by law"—a credo not easily reconciled with such subsequent exercises in federal forcefulness as the progressive income tax.

Still, as Schlesinger and Claude Bowers demonstrated, compelling history can as easily be written from the anti-aristocratic, class-struggle perspective as from that of sectional differences (the starting-point of David Hackett Fischer's work). And Wilentz's ambition, to write a historical narrative that does justice to both high politics and grass-roots politics, is laudable. The interest of his book lies in the way he fails to write the engrossing political history he set out to write.

Rise, Wilentz explains, was written "as a narrative." Yet he eschewed techniques that narrative historians since Thucydides have used to make their work readable. The art of historical narrative requires something more than the arrangement of facts in chronological order. A narrative must have vividly drawn characters, and these must be seen to struggle with one another in a dramatic way. Wilentz has written contemptuously of David McCullough, whom he dismisses as a "teller of tales." "Narrative, narrative, narrative," Wilentz complained in his review of McCullough's *John Adams*. But if one sets out to compose a narrative, one is obliged to be a teller of tales. It is not enough for the narrative historian to refer, as Wilentz does, to "conflicts," "disturbances," "tensions"; he must dramatize them. If the conflicts the historian seeks to portray involve entire classes of men, he must, by means of historical synecdoche, find individuals whose stories typify the struggles of the larger group. His villains must be engagingly evil, his heroes personally sympathetic. Sentimental touches are de rigueur. Thus Schlesinger, a master of narrative, began his chapter on Jackson's Bank veto: "Jessie Benton knew she must keep still and not fidget or squirm, even when General Jackson twisted his fingers too tightly in her curls. The old man, who liked children . . ." Narrative, narrative, narrative.

Wilentz is right to say that a historian's fascination with the character of statesmen becomes unhelpful if it leads him to slight their political labors. But to ignore the influence of character on the political work of statesmen is to substitute one vicious practice for another. Remove, from Macaulay's narrative of the Revolution of 1688, the sketches of James II and William III, and what remains ceases to live. Wilentz, however, renounces this tradition. His sketches of personality are perfunctory. Enamored though he is of the *demos* in the abstract, when it comes to particular people, something in him dies. He averts his gaze and resorts to fill-in-the-blank adjectives ("the indefatigable William Duane," the "deft political self-promoter" William Jones).

Nor do Wilentz's protagonists acquire any more substance in their collisions with one another. Scene-painting he regards as another sentimental vice. What ought to be the most dramatic confrontations in the book—Jackson's struggle with Nicholas Biddle over the Bank, for example—take place in a vacuum. The shadowy dynasts grapple obscurely with one another. A single perspective, that of the omniscient narrator, prevails. Nothing is seen through the eyes of the protagonists; the reader is never invited to feel *their* emotions. *Rise* is altogether relentless in its reduction of the variousness of experience to the narrow limits of thesis. It is perhaps too much to ask of a historian that he force his reader to feel, as Stendhal does in his picture of Fabrice at Waterloo, that the calcified past was once an ambiguous present. But the techniques with which Gibbon and Macaulay heightened the suspense of their narratives might have inspired Wilentz to restring his lyre.

The apathy of the writing in *Rise* is in contrast to the angry lucidity of Wilentz's essays in *The New Republic*, in which he has lamented the "denigration of politics" in historical writing. But the articulate rage that enables a writer to diagnose flaws in other people's methods cannot sustain him in the pursuit of a solution of his own. The savagery of Wilentz's *New Republic* essays suggests, too, a deeper problem. So devoted is Wilentz to an ideal of historiographic purity that he has lost the sanity of detachment. Lincoln cracked jokes during

LANTERNS

A bowl of candies waits beside the door.
Or *my* door—not ours anymore.
After the cleaning part, the scraping out,
The seeds are drying in the stove
And when it's time to carve,
The face cut from the hollowed shell
Makes me think of who we were,
Flickering and unintentionally cruel.

The little ones come by six o'clock.
Hour by hour, the children grow taller
And their costumes almost disappear.
There wasn't time to close the door
Between the knocks some years.
But this year is the emptiest October.
Even *we* is not the word it used to be,
when you were part of us, and me.

—CHRYSS YOST

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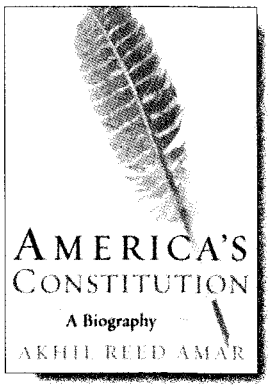
the Civil War, but for Wilentz the writing of history—unlike its making—is too solemn for levity. *The Rise of American Democracy* is funereal. Wilentz has no eye for the illuminating foibles of his protagonists, no interest in the idiosyncratic qualities of their imaginations. This is a drawback in a historian of the 19th century, an age when both supporters and opponents of democracy were perplexed by the question of what kind of men the new and freer forms tended to produce. Even sympathetic observers (such as John Stuart Mill) wondered whether democratic reforms really liberated—or rather created different kinds of oppression, modes of conformity that impoverished the human spirit quite as much as the moribund hierarchical forms.

Had Wilentz attempted to show his protagonists' characters in action, he might have shed light on democracy's ability to foster fresh types of human excellence. But character, for Wilentz, is sentimentality; he is less an evoker than an embalmer of historic personages. As such he is unable to revive the humane methods of Schlesinger's *The Age of Jackson*, the ideal of his maudlin golden-age elegies. Schlesinger imported the old artistic techniques into a work that nevertheless withstood the scrutiny of the professors. Wilentz's own gestures in the direction of narrative are empty. So faithful is the Princeton professor to the sanctimonious canons that emerged when the discipline of history was professionalized (at the end of the 19th century) that such art as he possesses is rendered impotent.

The object of those who professionalized history was to facilitate the systematic collection of historical facts. The facts, when assembled, would yield a "scientific" picture of the past, superior to the artistic masterpieces of the amateurs. The techno-positivist aspirations that presided at the birth of academic history have long since faded, but the paraphernalia remains—the cardboard monographs, the sawdust surveys, the instinct to overwhelm Clio's delicate structures with a load of abstract data, the insubstantial pageant of "convergences" and "historical arcs" that disfigures Wilentz's pages. His book fails, not on account of its populist aversion to aristocracy, but rather from its scholastic sins against historical art, which can only frustrate his efforts to recreate a golden age of political history. **NR**

Life of Our Charter



America's Constitution: A Biography, by Akhil Reed Amar (Random House, 672 pp., $29.95)

MATTHEW J. FRANCK

THE idea of Akhil Amar's new book is brilliantly simple. The execution of that idea is very good, but not quite as good as one might have hoped.

The idea is this: to give an account of the text of the Constitution—of the thinking and acting that produced it and of the sort of country it envisioned and produced in turn—by marching through its parts in their proper order, from the Preamble to the 27th Amendment. Though not as original an idea as Amar thinks it is, it has the virtues of both ambition (being a "biography" of a life of more than two centuries) and some natural boundaries set by the document itself.

Amar writes with fluidity and grace, with only a few of the tics of the legal academic, and he keeps his conversations and disputes with other scholars confined mostly to the endnotes. These qualities are helpful to the general reader who has an interest in the Constitution and its history but fears treading the spongy ground of modern legal scholarship.

Not that Amar shies away from arguments. He makes plenty of them, from his opening account of the Preamble, effectively exploding what remains of the old states'-rights argument for a constitutional right of secession, to his concern 400 pages later that the 25th Amendment (combined with an earlier statute still on the books) leaves us with some serious potential problems regarding presidential succession in a crisis. This is no bland celebration of the Constitution for Framer-worshippers, but a book of large provocations, liberally peppered with surprising observations, small but fascinating insights, and unexpected connections.

Did you ever stop to ponder, for instance, the democratic thrust of the Constitution's requirement that members of Congress be paid a salary? Did you ever notice that presidents are not pledged by their oath "to abide by every act of Congress" without exception? Or wonder whether impeachment is the only way for Congress to secure the removal of a federal judge? Have you thought about what difference it has made that all the amendments to the Constitution have been added to its end, rather than incorporated in its midst? Amar has thought about all these things and many more, and he invariably has interesting things to say about them.

The book is sometimes marred, for several pages at a stretch, by odd little obsessions and dubious arguments. Amar asserts, more than he argues, that the 14th Amendment was intended to "incorporate" the Bill of Rights to apply against the states, while barely acknowledging how controversial this view remains. And he wastes much space on refuting the rather silly arguments of his Yale colleague Bruce Ackerman that the 14th Amendment was not ratified in proper accordance with the Constitution. These tedious sections should have been caught by an editor with the courage to say, "Um, Akhil, do you really need to settle that score here?"

Amid so many details and digressions, Amar presents two overarching arguments about the framing of the Constitution and its subsequent history.

First, he openly dissents from a view that took hold in the academy in the Progressive era and still has many leftist academics in its grip today: that the Constitution's framing was somehow an undemocratic act, a Thermidorian reaction against the more authentically democratic spirit of the Revolution. Against this still-dominant current, Amar cogently makes the case for the original Constitution's democratic bona fides. The book's first

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eight chapters are the best part of the work, returning to this argument again and again until the reader cannot but assent to the soundness of this judgment. Amar might have acknowledged that this case has been well made repeatedly over the last four or five decades—chiefly by political theorists of the "Straussian" school—but it is hard to frown on that omission when the job is so well redone here, and so completely.

Amar's second argument, not so persuasively made, is that the Constitution's framing was "slavocratic" as well as democratic, that it created, and could have been foreseen to create, "perverse structures of permanent power" for the institution of slavery. Here is one of Amar's rare debates in the text with another scholar, in this case the late historian Don Fehrenbacher, and it is not a debate that Amar wins. The essential problem is that he blurs the boundary between intention and outcome. Was it foreseeable to the Framers that slavery would become more, not less, entwined with the South's sense of itself over the next three score and fourteen years? Did they anticipate that some slave states would emulate the three-fifths clause's skewing of congressional representation in the redesign of their own legislatures, thus entrenching slavery's power at the base of the democratic pyramid? Could the Framers have expected that America's territorial expansion would fail to shrink the relative strength of the slaveholding region, but instead maintain its strength for generations? Amar shows that all of these things happened, but he cannot show—because it cannot be shown—that the founding generation expected them to be the results of their words and deeds, or even that they reasonably should have expected them. Perhaps they trusted too much to words to conquer deeds. But as a reproach to arguments such as Amar's, we may adduce the bold and accurate claim of Frederick Douglass in 1852: "Now, take the constitution according to its plain reading, and I defy the presentation of a single pro-slavery clause in it. On the other hand it will be found to contain principles and purposes, entirely hostile to the existence of slavery."

Related to these two arguments are two more implicit themes in Amar's book. The first is that the Constitution is the people's instrument of self-government, not the exclusive province of judges, lawyers, and law professors. After all, a book about the judicial glosses on the Constitution would have hardly anything to say about most of the text, which has been not only called into being but given practical shape by the actions of voters and of those for whom they vote. Amar is surely right that "constitutional lawyers . . . have generally overemphasized the judges' doctrine and overlooked the people's document." Once he settled on the idea of discussing the causes and effects of every part of the Constitution, that well-worn path was foreclosed to him—but a more democratic vista opened up at his feet.

The second thematic thread running through the book is that American constitutional history has been steadily progressive, at least since the Reconstruction amendments. Here Amar is not freed by the structure of the book, but imprisoned by it. It cannot be denied that there is democratic progress in the abolition of slavery, the securing of broad rights of citizenship as against state governments, the extension of the franchise regardless of race or sex or wealth, and other measures that make government more responsive to the electorate. But owing to his tight focus on the documentary Constitution, Amar has nothing to say about whether the following represent progress: the transition from a Congress through which fresh blood regularly flowed to one in which national legislators make whole careers; the remaking of the presidency from an office anchored in constitutional principles to one adrift on the sea of public opinion; the toppling of one principled barrier after another to the growth of national power, at the expense of federalism; the pernicious changes in legal theory that gave rise to the notion of the "living Constitution"; and the emergence of judicial supremacy as the received understanding about how that living document is made and remade anew in every term of the Supreme Court.

Amar's neglect of such pivotal developments in American constitutionalism lends his "biography" an unduly triumphalist air in certain respects. In assessing the condition of the Constitution in our time, I would not have been so celebratory. But this book is still a welcome reminder that the love of America's Constitution is the proper affection of intelligent patriots of all parties. **NR**

Broken Homes, and Hearts

Between Two Worlds: The Inner Lives of Children of Divorce, by Elizabeth Marquardt (Crown, 191 pp., $24.95)

ALLAN CARLSON

THE story told by first-time author Elizabeth Marquardt could easily have descended to the maudlin: just one more Gen-Xer relating the sad but not especially tragic course of her life. What saves her book, and turns it instead into a fresh, cogent, and compelling testimony, is the bonding of the author's personal story to solid, new social research. Marquardt shows "just how radical divorce really is," how it "powerfully changes the structure of childhood itself," and how growing up in a divorced family "is like growing up in a different culture." Indeed, in the wake of the no-fault-divorce revolution of the late 1960s and 1970s, one-quarter of all American young adults are now the children of divorce. She gives these hitherto silent millions a needed public voice.

Among the children affected by it,

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divorce has long been linked to significantly higher rates of school dropout, teenage pregnancy, illegal drug use, poor health, suicide attempts, and depression. Child abuse also thrives on divorce; research shows that having a step-parent in a child's home is "the most powerful predictor of severe child abuse." By intent, however, Marquardt gives relatively little attention to these deep pathologies. Instead, her focus is on the seemingly successful children of "good divorces." These are cases where parental conflicts over the children were minimal, where both parents stayed actively involved in their children's lives, and where the children went on to college. Alongside her own experience, she builds her argument on direct interviews with 71 young adults (ages 18 to 35), roughly half of whom grew up in divorced families and half in intact homes. She adds to this the results of a telephone survey (developed in cooperation with noted University of Texas sociologist Norval Glenn) of another 1,500 young adults, divided in similar fashion.

Marquardt's findings are persuasive, and disturbing. She blows the myth of the "good divorce" out of the water, labeling as "lies" the prevailing arguments that children are resilient and do just fine in a "low conflict" divorce or thrive in the pleasant diversity of "blended families." She shows that the children of "good" divorces "typically experience painful losses, moral confusion, spiritual suffering, [and] strained relationships." "Happy talk" about divorce, exemplified by Constance Ahrons's 1994 book *The Good Divorce*, exists to soothe adult consciences—those of therapists, lawyers, judges, and the divorcing parents themselves. For the children, however, the reality is pain and a deafening cultural silence.

The author's central and original argument is that divorce makes impossible a primary parental task: crafting a moral order. Married parents build a morally coherent and stable home through thousands of little negotiations and compromises between themselves, which smooth the way for their offspring and allow them to have and enjoy a childhood. In the divorced family, however, parents abandon this work. They may not be in open conflict, but they are also "no longer trying to make sense of the differences between their two different worlds." This task falls instead on their children. The result, Marquardt shows, is a permanent inner conflict over their parents' separate lives: "Children become travelers between two worlds," never feeling truly at home in either, at once outsiders and insiders in "shadow homes" lacking "elemental wholeness."

The children of divorce must grow up quickly, in some cases even taking on the role of the adult in a broken home. Other results for children include a heightened sense of being "not safe," the keeping of secrets from one or the other parent, loneliness, a feeling of loss, and a premature need to forge their own moralities.

The pervasive disorientation facing the children of divorce is revealed with particular poignancy when they confront the Gospel parable of the prodigal son. In Marquardt's interviews with those who grew up in intact homes, the focus is on the end of the story, when, despite all his mistakes, the son is embraced by his father's love. Among young adults from divorced families, however, attention focuses on the beginning, but with the roles reversed: "The story is not about the prodigal son but the prodigal parents."

The book loses momentum only when it turns to recommendations. From beginning to end, Marquardt insists that she is not anti-divorce: "Divorce is a vital option for ending very bad marriages." She rejects the most recent innovation in divorce law regarding children—the presumption of joint custody—as "extremely disturbing," an option that "burdens children even more than other types of arrangements." Her alternative is to continue giving judges and parents "wide discretion" on custody arrangements, which promises little improvement. In the end, her agenda for change becomes a somewhat desperate call for more "mothers and fathers, living together, married to each other, preferably getting along well" and, if they do break up, honest public recognition of the "loss" facing their children.

This modest response is unfortunate. To begin with, the author underestimates the degree to which divorce has become an industry, driven by lawyers, social workers, psychologists, and even government officials, with large financial interests in broken homes. Moreover, the law has much more potential to serve marriage and children than she admits. Over 200 years ago, French statesman Louis de Bonald wrote a treatise *On Divorce*, arguing against the "no fault" statute of his day. He noted that the state "intervenes in the spouses' contract of union because it represents the unborn child . . . and because it accepts the commitment made by the spouses . . . under its guarantee to bring that child into being." Bonald adds that civil marriage "is truly a contract between three persons, two of whom are present, one of whom (the [potential] child) is absent, but is represented by public power, guarantor of the commitment made by the two spouses to form a society."

American law now fails to protect that all-important little society, and so fails the children of divorce. One clear solution is to strengthen the law, to favor the maintenance of marriage and to discourage divorce. The pre-1969 system requiring the finding of "fault" in the latter had the virtue of underscoring the public interest in a marriage. As Marquardt so ably shows, the "no fault" revolution has been an obvious failure when it comes to protecting children. (Other research has revealed that the introduction of "no fault" actually produced more divorces than would otherwise have occurred, and has failed to reduce conflict during divorce proceedings, merely shifting its focus.) We should undo the "revolution," making divorce more difficult and (at least when children are present) treating it once again as an indirect crime against the social order, where the instigator must bear guilt and suffer a consequence. We should do this for the sake of parents, who will gain incentives to carry them over the rough spots and to repair rather than discard their marriages; and, most certainly, we should do this for the sake of the children. **NR**

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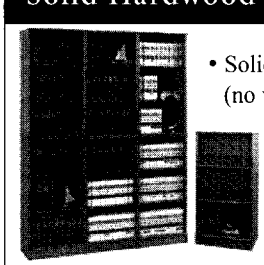

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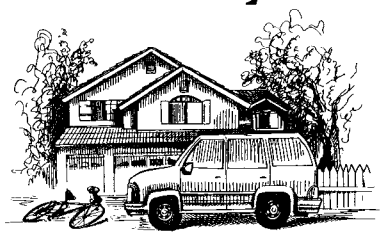
■ THE STRAGGLER ■

Law's Grave Study



JOHN DERBYSHIRE

I do not know the forms of law; I do know law and reason, though I am no lawyer professed: but I know as much law as any gentleman in England.
— *King Charles I, at his trial*

MR. AND MRS. STRAGGLER went down to the local attorney's office last week to get our wills wrapped up, a thing we have been putting off for far too long. This was just as the Harriet Miers storm was breaking, so that I have been obliged to give some thought to the law at both ends, from the most commonplace personal services to the mighty nation-shaking lucubrations of the Supremes.

In re (see how I get into the spirit of the thing?) matters of law, I am of King Charles's party: "no lawyer professed," but still blithe in the confidence that I have sufficient understanding of jurisprudential principles to say intelligent things on the subject—at the very least, to distinguish between obviously good judgments and obviously bad ones. This is probably a delusion, but it is one so widespread that there is very little motivation to rid oneself of it. It is also a delusion much more easily fallen into in these United States, where the fundamental principles of law are helpfully written out in a Constitution brief and clear enough to be read through in a couple of hours. The law in England is more opaque and anonymous, the Constitution unwritten. Not one Englishman in twenty could name the current Lord Chancellor. Throw the Lord Chief Justice and the Master of the Rolls into the quiz, and you are down to one in a thousand.

When I first became aware of the existence of the law as an institution, it seemed to me that nothing could be more solid, more forbidding, more awe-inspiring. At the top were grave elderly gentlemen in breeches, robes, and horsehair wigs. They presided over courts stiff with ceremony, wherein other gents wearing lesser robes and smaller wigs addressed them as "My Lord," and each other as "My learned friend." Latin tags were flung around with wild abandon. (Whence the proverbial exchange, from the days of British rule in Ireland: "Mr. O'Connell, has your client never heard the expression *sic utere tuo ut alienum non laedas?*"—"M'Lud, in the remote fishing village in County Kerry where my client lives, they speak of little else.") When not conversing in Latin, lawyers tended to lapse into Norman French: *mortmain*, *champerty*, *embracery*, *seisin*. The whole business was as conservative as an institution can be, redolent of ancient rules and forms. It breathed tradition and precedent. Most awe-inspiring of all were the little black cap a judge donned when pronouncing sentence of death, and the form of words that followed: "The sentence of the court upon you is, that you be taken from this place to a lawful prison and thence to a place of execution and that you be hanged by the neck until you are dead . . ."

Even the lower circles of the legal world, down below the judges and barristers, were sufficiently forbidding. A trip to see one's solicitor (the person who, in England, mediates between layman and advocate, and performs small legal chores) required a smart turnout and a deferential manner. I vividly remember my own first such call. It was in the company of my father, I forget on what business, in my early teen years. The leading firm of solicitors in our little town belonged to a Jewish fellow named Max Engel. Towards Jews, my father had that odd ambivalence characteristic of the English working class (and also, if Tom Wolfe's novels can be relied on, of black New Yorkers). Though capable of an occasional, and very mild, anti-Semitic remark, Dad felt sure that the average Jew was much better equipped than the average Gentile to guide one through the tangles and thickets of the law, and was glad to avail himself of the services of Mr. Engel.

When admitted to Mr. Engel's office, I found it to be lined with whole walls full of leather-bound, gilt-stamped volumes, with all of which the proprietor was presumably, incredibly, familiar. Just at this time, or not long afterwards, I first read George Meredith's poem "Lucifer in Starlight": "Around the ancient track marched, rank on rank, / The army of unalterable law." I thought I knew exactly what was meant, and understood Lucifer's dismay perfectly. There it was on Max Engel's bookshelves, rank on rank: the army of unalterable law.

With these early impressions of the solidity, gravity, and conservatism of the law, I was a little slow to understand that the law has become the great engine of the Left in our time: that clever young radicals are swarming everywhere to overthrow the habits and customs of centuries, to assert inalienable "rights" invented in some law-school-dorm bull session in 1965, to bolster and expand the powers of government—especially the federal government—and to pursue those who, for one reason or other, have offended leftist sensibilities. A peek into any modern law-school syllabus shows the state of affairs. Here is all the gassy flapdoodle of post-modern epistemology: "critical race theory," "feminist jurisprudence," and, of course, "queer legal theory." The law has proved all too alterable.

My eyes were opened by the plundering of the tobacco industry in the 1990s, culminating in the quarter-trillion-dollar Master Settlement Agreement of 1998. What, I wondered, in my King Charles the First naïveté, had happened to the ancient common-law doctrine of "assumption of risk," which asserts that a plaintiff may not recover for an injury to which he assents? I asked people who might know. The doctrine had, they told me, in more words or fewer (usually many, many more), become inconvenient to revenue-seeking politicians.

A friend who teaches law at a southern university—a learned friend!—tells me that we have drifted far from the old principles of property rights, freedom of contract, and limited government on which our nation was built, and that our nation's legal system is approaching some great crisis. I don't doubt he is right. The ultimate remedy must be in the ballot box. In the meantime, the most minimal requirement for appointment to our highest judicial positions ought to be that the appointee cleave strongly to those battered old principles, be aware of the looming crisis, and understand what is at stake. All other matters of opinion and belief are secondary. **NR**

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on the right

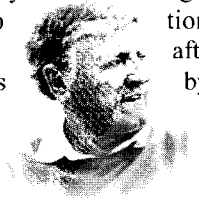
WILLIAM F. BUCKLEY JR.

Chastening the Court

Lo, from moderate left field (I write of Nicholas Kristof of the *New York Times* op-ed page) comes a voice of concern over the Supreme Court's elevation, over the past 40 years, to moral tribune of America.

What brought this on, of course, was the frenzy of exploration when President Bush named Ms. Harriet Miers to the Supreme Court. It was almost immediately plain that he had not named Phyllis Schlafly to the Court. An immediate inspection of Ms. Miers's spoor reveals not very much about ideological inclinations—indeed, she confuses the whole picture by having once upon a time contributed money to a campaign of Al Gore's. Beyond a punctilious affirmation of a challenge to the broadest interpretation of *Roe* v. *Wade* in her early years, there was nothing to engender ideological fright.

An interesting feature of her selection was the comment by Sen. Pat Leahy of Vermont, that it's not a bad idea to name to the Supreme Court every now and then candidates who have never sullied their fingers in the judiciary, as Harriet Miers has not. The reasoning here is that if you come in from, say, the court of appeals, you may be frozen in your views on certain judicial questions and prove less than amenable to reform. An interesting thought, though interesting mostly because it was Leahy who had the thought, and he is a prominent Democrat, probably influential in the weeks ahead when Ms. Miers is questioned.



More interesting was the featured closeness of Ms. Miers to the president. Unquestionably, before the grilling of her is done, the objection will be raised by somebody that her closeness to the president argues a filial relationship that undermines independent judgment. The point could be stressed that someone who has worked intimately with her/his patron for years and regards him as a fount of wisdom and right thinking would run the possibility of intellectual subjection.

Ms. Miers will need to shore up her thinking on how to handle the relevance of her closeness to Mr. Bush. If he had not brought the matter up in the first place, she could more easily have ignored such questions as irrelevant. The closeness of Miers to Bush can be dismissed as nothing more than time spent on his lap hearing him read out loud from the Federalist Papers.

But the question of the authority of the Court is truly interesting. Mr. Kristof writes: "The left went to the Supreme Court to achieve a range of victories it could never have managed through the political process: barring school prayer, protecting protesters who used four-letter words, guaranteeing lawyers for criminal defendants, and securing a right to privacy that protected contraception and abortion."

This, the writer confesses, has led to some unrest. Mr. Kristof reminds us that he is himself in total sympathy with the rulings of the Court on these questions, but that what the American public is beginning to fret over is the assumption of moral authority, arrived at after eristic constitutional thought by the Supreme Court. Some such rulings "alienated ordinary Americans who just could not see how the Constitution banned school prayers but protected obscenities. Frustration still seethes at liberals who try to impose their values on the heartland, and one consequence has been the rise of the religious right."

What we have is a nascent skepticism on the question of turning to the Court to legislate moral and social whims. The notion that a union between members of the same sex should be thought a "marriage" is historically and morally outrageous, but it is the courts that first came to terms with the idea, and (lately) pressed it as a constitutionally begotten right. If marriage is reconceptualized as binding man to man, the alteration of understood thought is on the order of declaring that all of Picasso's blues should be painted brown.

It could be that the nomination of Ms. Miers, the diffident but able attorney and advocate, will signal a hardening impatience with the role of the Supreme Court as dispenser of fine moral practices.

Phoney Baloney

Inevitably, President Bush's itemization of means by which to diminish fuel consumption led to derision. The single most common rhetorical device in all argumentation is the invocation of Alternative Uses. I became starkly conscious of this thought-burr in vivid circumstances. I was with poet James Dickey in Florida. We were guests of the U.S. government, invited to ogle the capsule with astronauts headed for the moon.

It was very cold and still dark when the moon-bound streak of fire shot up from the launch pad. Dickey was frozen in awe and admiration. At breakfast he threatened to break the neck of a television commentator whom he heard saying into the mike that the cost of this lunar extravagance was the equivalent of 126,000 units of low-cost housing. Dickey was trembling with furious indignation that such vulgar measurements were being used to discredit the beauty and awesomeness of the enterprise we had just seen coming up from its womb on a Florida beach.

I have ever after been aware of the device. It is of course universally used—and not alone by critics of great government enterprises, though we can see the pharaoh wincing every time he is reminded of alternative uses of the manpower required to construct his new pyramid.

At workaday levels, we are confronted every day with alternative uses of our resources, and there can't be any reasonable objection to the family's being asked to weigh a new car against a vacation in Europe. When it galls is when there is tendentious play going on. When the broadcaster was pointing out how many housing units might have been built in place of sending astronauts to the moon, he was engaging in moral criticism. The final polar-

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ization of the argument ends up, Make Love, Not War.

When President Bush said we should consider driving less in order to save fuel, it was a matter of nanoseconds before we would be told how much fuel is burned by Air Force One (6,000 gallons per hour). What is invited is relativist criticism of Air Force One's energy costs.

That line of argument has to be watched because it is capable of reductionist abuse. It is not recommended that the president of the United States should be deterred in the use of his airplane by weighing the cost of the fuel he is prospectively using. His use of his plane has nothing—nothing—to do with whether the purpose for which he used the plane was "justified." Justifications of presidential expenses aren't relevant. Whether the gas-using public in the United States should endeavor to reduce time on the road is not something that should be decided by reflecting on how often the president uses his 747.

There has never been a monument constructed which could have survived the criticism that there were human priorities being ignored. It is neither feasible nor desirable to put off the construction of the Lincoln Memorial until it is established that there is no one in America who is hungry.

There is only one rational way to reduce the consumption of fuel, and that is to raise the price of it. The president did not linger on this point, perhaps because the high price of gas is substantially owing to the taxes on its use by government, state and federal. It is only by price that individual priorities can be ordered. Gasoline, if it is costly enough to deter some uses, is at that point properly rationed. Never price controls, which misallocate costs and muscle into the workings of a market system.

The states have a direct interest in the consumption of fuel because they tax it. But the demand for most uses of fuel is what the economists designate as "flexible." Accordingly, pressures differ. Detroit has a new set of automobiles coming out that reflect the high cost of gasoline. But one does not have to reflect on world hunger when switching on the ignition. There are considerations that arise at many levels, economic, political, aesthetic, and humanitarian, each in its own way, as 300 million people respond each in his or her own way.

Joke Night

THE rhetorical blur decalcifies straight thought. William Bennett thought he was being asked about crime rates. Well, he was being asked about crime rates, but the blur took over and the world found itself deliberating whether he wished to abort all children of black mothers.

So he had to begin not with the point he had set out to make, but by affirming that not only was he against aborting black babies, he was against aborting any babies. Ah, but that statement bumps squarely into *Roe* v. *Wade*, which, invoking the right to privacy, entitles mothers to abort their children without any reference to their ethnicity.

But how did we get into all this? By egging on foggy thought—especially if it can be said to defend against ethnic slurring or challenges to the new constitutional postulate on abortion.

Poor Mr. Bennett was driven to saying: Look, if you want to end all crime you can do that by aborting all babies. That sounded ridiculous enough to slow down, if only for a minute, the posse determined to find him guilty of racist thought.

But the argument had many tentacles. A few nights later, Bill Maher, who chops logic on HBO, worked up a frenzy of scorn for his guest Ann Coulter for refusing to ascribe to poverty full responsibility for crime. Maher does not advance his thought methodically, but here is the rough sequence intended:

—If there is more crime committed by black Americans than by non-blacks, it is on account of poverty.

—Poverty is what happens when Republicans control Congress and the White House.

—The latest poll reveals that endorsement of White House policies by black Americans is—2 percent. Endorsement of Bush by whites is 45 percent.

—The difference suggests the victimization of black Americans by White House policies.

—These policies result in poverty, which results in crime.

—Therefore it is correct to say that poverty equals crime, and correct to say that blacks suffer more than whites from poverty, but not correct to say that blacks engage in more crime than whites do.

—Abortion is a constitutional right and the exercise of abortion must not be disdained or criticized, but abortion must not be recommended as a step towards diminishing either poverty or crime. Even if it does.

On the very same program, another guest, Andrew Sullivan, suddenly turned to Mr. Maher and said, "You just called me stupid."

What made Sullivan stupid in the eyes of Maher wasn't that he questioned that poverty was the whole of the explanation for crime. It was that belief in religion is, according to Maher, "stupid." Since Mr. Sullivan believes in religion, that makes him, by deduction, stupid. Maher did not pull away from Sullivan's deduction, at least not directly. He settled for saying that religion was stupid but people are perfectly free to do stupid things.

This calmed Mr. Sullivan down, and he settled for saying, Is it stupid when Christians feed the hungry? When they shelter the exposed? When they preach love of fellow men? Everybody laughed.

It doesn't matter what Maher says, they laugh. It would have been good to hear from Mr. Sullivan the words of Belloc, but they might have ruined the fun. Belloc once observed that "We sit by and watch the Barbarian, we tolerate him; in the long stretches of peace we are not afraid. We are tickled by his irreverence, his comic inversion of our old certitudes and our fixed creeds refreshes us; we laugh. But as we laugh, we are watched by large and awful faces from beyond: and on these faces there is no smile."

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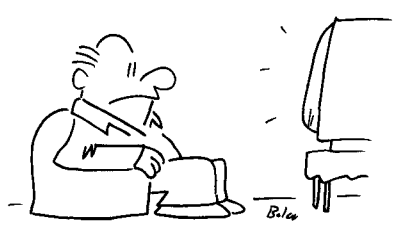

"The White House announced today that there's been a decrease in the rate of lowering of moral standards . . ."

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happy warrior

MARK STEYN

'Send Me My Checks Till I'm Dead'

As Jerry Ford likes to say, "A government big enough to give you everything you want is a government big enough to take from you everything you have."

And that's true. But there's an intermediate stage: A government big enough to give you everything you want isn't big enough to get you to give any of it back.

That's the position European governments find themselves in. Their citizens have become hooked on unaffordable levels of social programs which in the end will put those countries out of business. Just to get the Social Security debate in perspective, projected public-pensions liabilities are expected to rise by 2040 to about 6.8 percent of GDP in the U.S. In Greece, the figure is 25 percent—i.e., total societal collapse. So what? shrug the voters. Not my problem. I paid my taxes, I want my benefits.

This is the paradox of "social democracy." When you demand lower taxes and less government, you're damned by the Left as "selfish." And, to be honest, in my case that's true. I'm glad to find a town road at the bottom of my drive, and I'm happy to pay for the Army and a new fire truck for a volunteer fire department every now and then, but, other than that, I'd like to keep everything I earn and spend it on my priorities.

The Left, on the other hand, offers an appeal to moral virtue: It's better to pay more in taxes and to share the burdens as a community. It's kinder, gentler, more compassionate, more equitable. Unfortunately, as recent European election results demonstrate, nothing makes a citizen more selfish than socially equitable communitarianism: Once a fellow's enjoying the fruits of government health care and all the rest, he couldn't give a hoot about the broader societal interest; he's got his, and if it's going to bankrupt the state a generation hence, well, as long as they can keep the checks coming till he's dead, it's fine by him. "Social democracy" is, in that sense, explicitly anti-social.

Somewhere along the way these countries redefined the relationship between government and citizen into something closer to pusher and junkie. And once you've done that, it's very hard to persuade the junkie to cut back his habit. Thus, the general acceptance everywhere but America that the state should run your health care: A citizen of an advanced democracy expects to be able to choose from dozens of breakfast cereals at the supermarket, hundreds of movies at the DVD store, and millions of porno sites on the Internet, but when it comes to life-or-death decisions about his own body he's happy to have the choice taken out of his hands and given to the government.

John Walker Lindh—paid his own way

My problem with this is not a fiscal one. I couldn't care less about "the deficit," if indeed it still exists—the Dems and the media seem to have gone very quiet over it. These government programs would still be wrong even if Bill Gates wrote a check to cover them every month. In fact, I'd go further and say that these days big government is now a national-security issue. Commenting on a series of columns I wrote about the British Muslim community, the blogger Dean Esmay suggested that I wouldn't be able to make the same case about American Muslims. And basically he's right. To be sure, America like Britain has obnoxious dissembling Islamic lobby groups, but as the years go by you can't help but notice important differences between U.S. and other Western Muslims. The number of British, Canadian, and European Islamists captured in Afghanistan and elsewhere, for example, has not been matched by any equivalent numbers among American passport holders. Important figures in the 9/11 conspiracy plus Ahmed Ressam (the millennium bomber) plus Richard Reid (the shoe bomber) plus the July 7th London bombers were all graduates of the Euro-Canadian welfare system. Say what you like about John Walker Lindh, but at least the great Marin County jihadist took up arms against America on his parents' dime, not the taxpayers'.

Beyond that, there seem to be no American equivalents of the uglier phenomena of European multiculturalism—the Muslim gang-rapists in France or the Muslim yobs in Yorkshire, who on the night of September 11 rampaged through the streets banging on the hoods of cars and demanding the drivers join them in cheering Osama bin Laden. The reason seems obvious: If you tried to do that to a pick-up truck in Texas, you'd get your head blown off. The bullying, intimidating side of Muslim immigration in Europe seems to be wholly absent here—in part at least because the assertiveness of the individual American citizen makes it a riskier proposition.

That's also the lesson of 9/11. The first three planes were effectively an airborne European Union, where the rights of the citizens had been appropriated by the FAA's flying nanny state. On the fourth, Flight 93, Todd Beamer and others reclaimed those rights, and demonstrated that they could exercise them more efficiently than government.

The modern social-democratic state is so corrosive of its citizens' will and so enervating in its elevation of secondary priorities (welfare, paid vacation) over primary ones (family, national defense) that most of them will not survive this great existential struggle. In America, a wartime president should understand that this is no time to increase his own citizenry's addiction to entitlement. A government big enough to give you everything you want is big enough to take away everything you have, starting with your sense of self-reliance. **NR**

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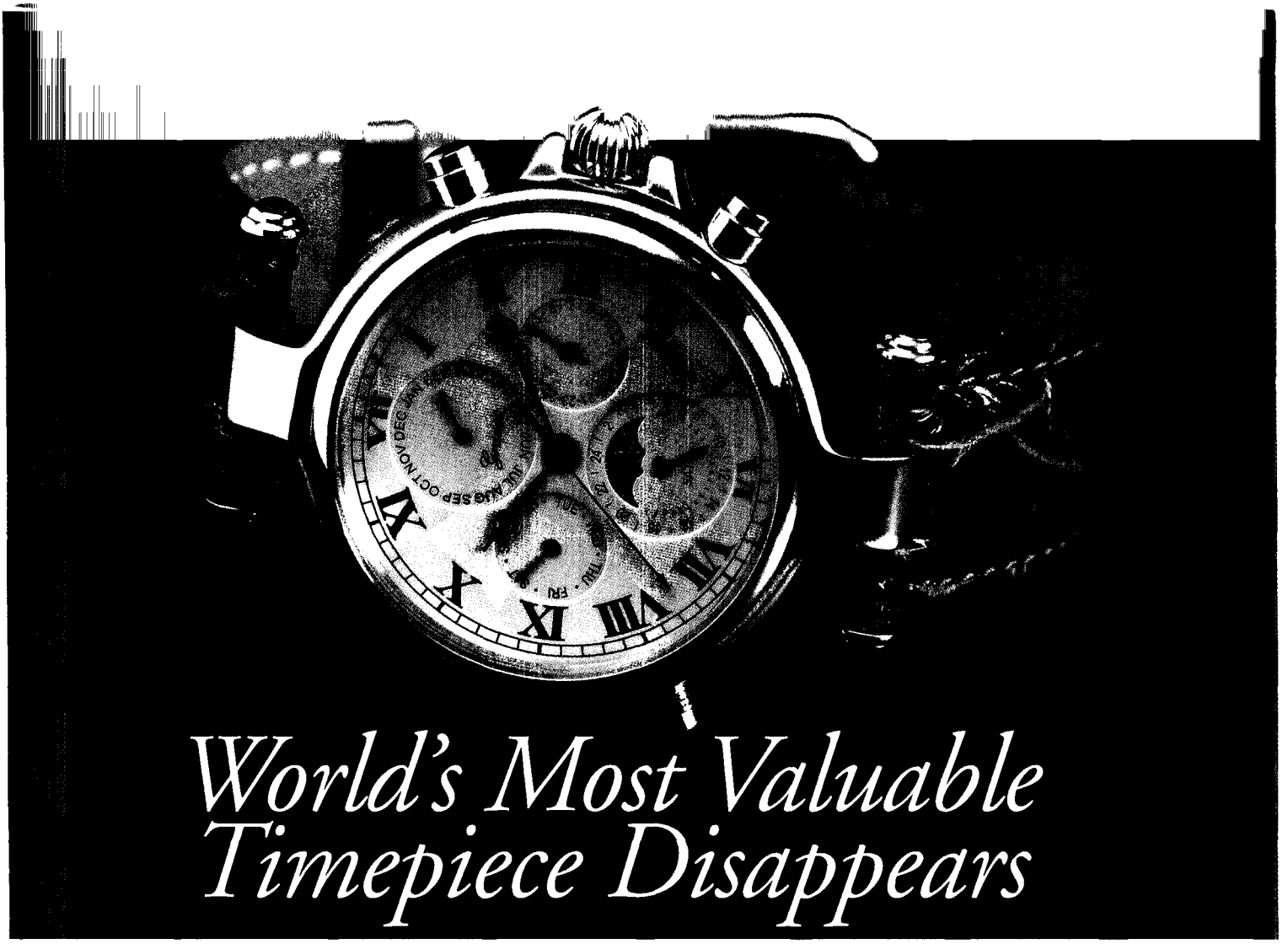

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